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10-May-2017

English - Or. English

### INTERNATIONAL TRANSPORT FORUM TRANSPORT MANAGEMENT BOARD

**Group on Road Transport** 

Report by REPUBLIC of CROATIA on current state of implementation of the QUALITY CHARTER

This application from Republic of Croatia was approved by the Group of Road Transport under Agenda Item 3 of the meeting held on 13 and 14 March 2017 in Paris.

#### JT03413878

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Republic of Croatia Ministry of the Sea, Transport and Infrastructure

Class: 303-03/17-01/65 No.: 530-05-1-2-2-17-1 Zagreb, 28 February 2017

> Mr. Jose Viegas Secretary General of the International Transport Forum OECD/ITF 2 rue André Pascal , F-75775 Paris Cedex 16

Subject: Formal application for Quality Charter Compliance

Dear Mr. Secretary-General,

The Ministry of the Sea, Transport and Infrastructure hereby informs you that Republic of Croatia is compliant with the requirements of the Quality Charter for International Road Haulage under the ECMT Multilateral Quota.

Compliance with the Charter is mostly achieved through European Union Regulations and implementation of relevant EU Directives, including Regulation 1071/2009, 561/2006, 165/2014 and Directives 2002/15/EC, 2006/22/EC and 2003/59/EC as key European legal instruments, supported by relevant national legal instruments transposing EU legislation into the national law (Road Transport Act, Ordinance on professional competence exam for admission in the occupation of road transport operator, Labour Act, Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport, Ordinance on distribution of permits for international transport of goods by road).

The Ministry of the Sea, Transport and Infrastructure manages the Croatian ECMT permit allocations and ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior issues.

More information on the legal acts and administrative procedures ensuring adherence to the provisions of the Charter by Croatian holders of ECMT licences is provided in the checklist submitted with this statement of compliance.

Yours sincerely,



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

**COUNTRY: REPUBLIC OF CROATIA** 

NATIONAL AUTHORITY: MINISTRY OF THE MARITIME AFFAIRS, TRANSPORT

AND INFRASTRUCTURE

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

#### A) Conditions of establishment (Chapter II, 2)

#### **Implemented**

Article 2.2.a)	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation:
	Road Transport Act (No.: 82/2013)
	Useful Links: <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2013-06-82-1732.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2013-06-82-1732.html</a> ,
Article 2.2.b)	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation:
	Road Transport Act (No.: 82/2013)
	Useful Links: http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
Article 2.2.c)	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation:
	Road Transport Act (No.: 82/2013)
	Useful Links: http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html

Any other comments:	
Provision of the Charter: [Chapter, article]	Not applicable as Croatia complies with the Charter.

#### B) Good Repute (Chapter II, 3)

#### **Implemented**

Article 3.1.	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013)Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013 06 82 1732.html
Article 3.2., incl:	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013)
- points a) to e);	- Road Transport Act (No.: 82/2013), Article 16
- list of most serious infringements:	- Road Transport Act (No.: 82/2013), Article 16
point d), items i - vii;	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
Article 3.3.	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013), Article 20
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html

Provision of the Charter:	Not applicable as Croatia complies with the Charter.
Any other comments:	

#### C) Professional competence (Chapter II, 4)

#### **Implemented**

Article 4.2, incl.:	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
- List of knowledge (4.2.a); b); cf.annex1)	Road Transport Act (No.: 82/2013),
	Ordinance on professional competence exam for admission in the occupation of road transport operator (No. 73/2014).
- Examination required: oral; written; exempted	- Written examination
(cf. 4.2.c))	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html, http://narodne-novine.nn.hr/clanci/sluzbeni/2014_06_73_1367.html
Article 4.3., incl.:	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
- Examinations procedure	Road Transport Act (No.: 82/2013),
(4.3.a); cf. annex 2)	Ordinance on professional competence exam for admission in the occupation of road transport operator (No. 73/2014).
- approval of examination bodies (4.3.b))	- Croatian Chamber of Economy and Croatian Chamber of Trades and Crafts
- pre-training (4.3.c))	- Not required
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_06_73_1367.html
Article 4.4. CPC, incl.:	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013),
	Ordinance on professional competence exam for admission in the occupation of road transport operator (No. 73/2014).
- National certificate (4.4.a); cf. Annex 3)	-Issuing Competent authority is Croatian Chamber of Economy and Croatian Chamber of Trades and Crafts
- IRU Academy CPC (4.4.b))	-Not used in Croatia
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_06_73_1367.html

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

Provision of the Charter:	Not applicable as Croatia complies with the Charter.
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#### D) Financial standing (Chapter II, 5)

#### **Implemented**

Article 5.2., including	Fully
Capital required for:	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013)
- first vehicle	- 9000 Euros
- each additional vehicle	- 5000 Euros
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013 06 82 1732.html
Article 5.3 & 5.4	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013)
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
Article 5.5.	Fully
	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013)
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html

Provision of the Charter:	Not applicable as Croatia complies with the Charter.
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Any other comments:	
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## 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:**

Croatia complies with Regulation (EC) No 561/2006 on driving times, breaks and rest periods; Regulation (EEC) No 3821/85 on the fitment and use of tachographs to record compliance with 561/2006 and Directive 2002/15/EC on the working time of mobile road transport workers (which have been transposed into domestic legislation in Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport. Croatia is also compliant with Directive 2006/22/EC on requirements for enforcement.

#### B) Driver training (Chapter III, 2)

#### **Implemented**

Article 2.1:	Fully
	Croatia complies with this provision through Directive 2003/59/EC of 15 July 2003 transposed into domestic legislation;
	Road Transport Act (No.: 82/2013),
	Ordinance on the initial and periodic training of drivers (No. 31/2014).
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_03_31_551.html
Article 2.2.a) - Initial	Fully
qualification, incl:	Croatia complies with this provision through Directive 2003/59/EC of 15 July 2003 transposed into domestic legislation;
	Road Transport Act (No.: 82/2013),
	Ordinance on the initial and periodic training of drivers (No. 31/2014).
- List of knowledge (cf.annex4)	Croatia complies with this provision through Annex I section 1 of Directive 2003/59/EC which defines conditions the list of subjects to be covered by courses for the initial qualifications of drivers.

- Course + test, or, a test only	Croatia complies with this provision through Article 3 of Directive 2003/59/EC which defines the qualification and training options for the periodic training of drivers. The system implemented in Croatia does not involve compulsory course attendance.
- exemptions	Croatia complies with this provision through Article 2 of Directive 2003/59/EC which list the exemptions from the Directive for vocational drivers of certain vehicles under specified conditions.
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_03_31_551.html
Article 2.2.b) - Periodic	Fully
training, incl:	Croatia complies with this provision through Directive 2003/59/EC of 15 July 2003 transposed into domestic legislation;
	Road Transport Act (No.: 82/2013),
	Ordinance on the initial and periodic training of drivers (No. 31/2014).
- List of knowledge (cf.annex4)	Croatia complies with this provision through Articles 4, 6 and 7 of Directive 2003/59/EC which defines the qualification and training options for the periodic training of drivers.
- Number of hours (35) - Periodicity (every 5 years)	Croatia complies with this provision through Directive 2003/59/EC which defines conditions the number of hours of periodic training of drivers of certain road vehicles for the carriage of goods or passengers. Croatia implemented option of 35 hours every five years.
- first periodic training to be completed by [31 Dec 2019]	Croatia implemented the provisions that drivers completed their first periodic training for the categories D1, D1E, D and DE by 10 September 2015 and for the categories C1, C1E, C and CE by 10 September 2016.
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_03_31_551.html
Articles 2.3; 2.4 -	Fully
approval of training centres	Croatia complies with this provision through Directive 2003/59/EC of 15 July 2003 transposed into domestic legislation;
	Road Transport Act (No.: 82/2013),
	Ordinance on the initial and periodic training of drivers (No. 31/2014).
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_03_31_551.html

Article 2.6 - CPC proof,	Fully
incl.:	Croatia complies with this provision through Directive 2003/59/EC of 15 July 2003 transposed into domestic legislation;
	Road Transport Act (No.: 82/2013),
	Ordinance on the initial and periodic training of drivers (No. 31/2014).
- Sign affixed on driver licence (permit)	The regional police office shall mark on the driving licence of the driver who holds initial qualification certificate or periodic training certificate.
- Driver Qualification card (cf. annex 5)	- Not used in Croatia
IRU Academy CPC	- Not used in Croatia.
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013 06 82 1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2014_03_31_551.html

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

Provision of the Charter:	Not applicable as Croatia complies with the Charter.
Any other comments:	

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

#### **Implemented**

Article 3.1	Fully
	Croatia complies with this provision through Labour Act (No. 93/14).
	Useful Links: <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2014_07_93_1872.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2014_07_93_1872.html</a>

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**

1.2.1: re. provisions on undertakings, incl.: - authorisations - training/examinations - CPC	Fully  Ministry of the Maritime Affairs, Transport and Infrastructure
1.2.2: re. provisions on drivers, incl.: - training/examinations - CPC	Fully  Ministry of the Maritime Affairs, Transport and Infrastructure
Articles 1.2.3- 1.2.4.	Fully Ministry of the Maritime Affairs, Transport and Infrastructure
Article 1.2.5	Fully Ministry of the Maritime Affairs, Transport and Infrastructure
Article 1.3.	Fully Ministry of the Maritime Affairs, Transport and Infrastructure Ante Nevešćanin, phone; +385 1 6169 050; email: ante.nevescanin@mppi.hr ,: r  Anđa Đogaš, phone; +385 1 6169 085; email: andja.djogas@mppi.hr ;  Krešimir Gregurec, phone; +385 1 6169 457; email: kresimir.gregurec@mppi.hr

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

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

#### **Implemented**

Article 2.1 checks re. Drivers , incl:	Fully Croatia complies with this provision through;
- 2.1.1. Driving times and rest periods (cf. also. Annex 6):	Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport (No. 75/2013, 36/2015).  Useful Links:
Affilex 0).	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html, http://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_36_737.html
Article 2.2 Checks re.	Fully
Undertakings, incl:	Croatia complies with this provision through;
	Road Transport Act (No.: 82/2013),
	Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport (No. 75/2013, 36/2015)
	The Competent authority: Ministry of Maritime Affairs, Transport and Infrastructure
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_36_737.html

Provision of the Charter:	Not applicable as Croatia complies with the Charter.
Any other comments:	

#### C) Classification of Infringements (Chapter IV, 3)

#### **Implemented**

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	Fully Croatia complies with this provision through EU Regulation 561/2006 of 15 March 2006 supported by domestic legislation, Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_36_737.html
Article 3.2. re.	Fully
undertakings:	Croatia complies with this provision through EU Regulation 1071/2009 of 21 October 2009 supported by domestic legislation;
	Road Transport Act (No.: 82/2013),
	Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road (No. 75/2013, 36/2015).
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013 06 82 1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_36_737.html

Provision of the Charter: [Chapter, article]	Not applicable as Croatia complies with the Charter.
Any other comments:	

#### D) Penalties (Chapter IV, 4)

#### **Implemented**

Article 4.1.	Fully
	Croatia complies with this provision through domestic legislation;
	Road Transport Act (No.: 82/2013),
	Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road (No. 75/2013, 36/2015).
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_75_1505.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_36_737.html
Article 4.2.on drivers	Fully
incl, infringements re:	Croatia complies with this provision through domestic legislation;
	Road Transport Act (No.: 82/2013),
- 4.2.1. AETR rules - 4.2.2. driver training	Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road (No. 75/2013, 36/2015).
	Useful Links:
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013 06 75 1505.html,
	http://narodne-novine.nn.hr/clanci/sluzbeni/2015 03 36 737.html
Article 4.3. on under-	Fully
takings:	Road Transport Act (No.: 82/2013),
- 4.3.1.	Ordinance on distribution of international transport of goods by road (No 122/2013),
	Useful Links:
- 4.3 2.	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_82_1732.html
	http://narodne-novine.nn.hr/clanci/sluzbeni/2013_10_122_2615.html
	The Competent Authority for the licences distribution (Ministry of the Maritime Affairs, Transport and Infrastructure) will notify undertakings if they consider they are no longer fulfilling the requirements for pursuit of the occupation of road transport operator and will set the limits to rectify the situation. If the requirements are not fulfilled in the time limits it can lead to the withdrawal of the ECMT licences.

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

Provision of the Charter:	[comment]
[article]	[comment]

#### ANNEX 1. Model of the National Certificate of Professional Competence

HR<sup>(1)</sup>



# POTVRDA O STRUČNOJ OSPOSOBLJENOSTI ZA OBAVLJANJE CESTOVNOG PRIJEVOZA ROBE/PUTNIKA<sup>(3)</sup>

Br	
Ovime	
potvrđuje da je <sup>(4)</sup>	
rođen(-a)u	
uspješno položio(-la) ispit znanja (godina: potreban za dobivanje potvrde o stručnoj osposobljenos putnika <sup>(3)</sup> u skladu s Uredbom (EZ) br. 1071/2009 Euro 2009. o uspostavljanju zajedničkih pravila koja se tiču prijevoznika <sup>(6)</sup> .  Ova potvrda dostatan je dokaz stručne osposobljenosti iz	sti za obavljanje cestovnog prijevoza robe opskog parlamenta i Vijeća od 21. listopada uvjeta za obavljanje djelatnosti cestovnog
Izdano u	dana
M.P. GREDING	(7) (potpis i žig nadležnog tijela koje izdaje potvrdu)

Razlikovni znakovi država članica jesu: (B) Belgija, (BG) Bugarska, (CZ) Češka, (DK) Danska, (D) Njemačka, (EST) Estonija, (IRL) Irska, (GR) Grčka, (HR) Hrvatska, (E) Španjolska, (F) Francuska, (I) Italija, (CY) Cipar, (LV) Latvija, (LT) Litva, (L) Luksemburg, (H) Mađarska, (MT) Malta, (NL) Nizozemska, (A) Austrija, (PL) Poljska, (P) Portugal, (RO) Rumunjska, (SLO) Slovenija, (SK) Slovačka, (FIN) Finska, (S) Švedska, (UK) Ujedinjena Kraljevina.

<sup>(2)</sup> Tijelo koje svaka država članica Europske zajednice unaprijed određuje za izdavanje ove svjedodžbe.

<sup>(3)</sup> Prekrižiti nepotrebno.

<sup>(4)</sup> Prezime i ime; mjesto i datum rođenja.

<sup>(5)</sup> Identifikacija ispita.

<sup>(6)</sup> SL L 300, 14.11.2009., str. 51.

<sup>(7)</sup> Potpis i žig nadležnog tijela koje izdaje potvrdu.

**ANNEX 2. Model of National Driver licence** 



