



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

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For Official Use

Group on Road Transport

Report by BOSNIA and HERZEGOVINA on implementation of the Quality Charter

Rulebook on ECMT Licences
(*"Official Gazzete of BiH"* no:52/17, published on 21 July 2017)

This document amends a draft application on Quality Charter implementation of Bosnia and Herzegovina ITF/TMB/TR(2016)3/ADD24.

It is submitted under Draft Agenda Item 4 of the meeting of the Sub-Group on the Qualitative Development of the ECMT Quota to be held on 18 September 2018 in Paris, France.

JT03435162

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.

Pursuant to Article 28, paragraph (4) of the Law on International and Inter-Entity Road Transport (Official Gazette of Bosnia and Herzegovina 1/02 and 14/03), Minister of Communications and Transport of Bosnia and Herzegovina issues the following

RULEBOOK ON ECMT LICENCES

I GENERAL PROVISIONS

Article 1 (Subject matter)

The present Rulebook lays down the procedures to determine an annual quota of multilateral licences for international road haulage made available to domestic carriers (hereinafter referred to as ECMT licences), the allocation, use, withdrawal and return of ECMT licences.

Article 2 (Definitions)

In this Rulebook, the following terms shall have the following meanings:

- a) „ECMT licence“ is a multilateral licence for the international transport of goods between the member countries of the International Transport Forum (hereinafter referred to as ITF) or in transit through the territory of one or several ITF member countries by vehicles registered in an ITF member country, allowing an unlimited number of journeys within a specific period of time;
- b) „Logbook“ is a record which is an integral part of the licence and contains information about transport operations performed under the respective licence in chronological order including laden and unladen journeys, and is used for the control of the use of licences;
- c) „Euro V safe“, „Euro VI safe“ and „EEV safe“ certificates are certificates of compliance with technical provisions concerning exhaust and noise emissions and safety requirements, or certificates of compliance of a trailer or a semi-trailer with the technical safety requirements or certificates of roadworthiness test for motor vehicles, trailer or semi-trailer;
- d) „CMR form“ is an international waybill and represents a carriage contract in compliance with the Convention on the contract for international carriage of goods by road.

Article 3 (Quota)

- (1) The basic quota of ECMT licences shall be made available every year to the ITF member countries by the ITF.
- (2) The basic quota of ECMT licences shall provide the basis for the calculation of the annual quota in such a manner that a licence from the basic quota is replaced by a specific number of appropriate licences for vehicles with the appropriate EURO characteristics.
- (3) The Ministry of Communications and Transport of Bosnia and Herzegovina (hereinafter referred to as: the Ministry) shall, based on the quality and quantity of the fleet, and as per categories available to the carriers, determine the annual ECMT licences quota.
- (4) There are short-term ECMT licences, valid for 30 days, and annual ECMT licences valid for one calendar year.

Article 4 (Obligations and limitations)

- (1) An ECMT licence allows a carrier registered in Bosnia and Herzegovina to perform, after the first loaded trip between the country of registration and another ITF member country, maximum three loaded journeys between the countries other than the country of registration of the carrier, after which the vehicle, loaded or empty, must return to the country of registration.
- (2) Empty runs outside Bosnia and Herzegovina shall not be regarded as transport operations.
- (3) If the return back to the country of registration has been under a transit journey, a driver shall enter at the column „Special remarks“ of the Logbook regarding that particular transport operation the capital letter „T“ as well as the date and place of entering the country of registration of the carrier.
- (4) The ECMT licence may only be used by the carrier indicated thereon, and is not transferable.
- (5) In cases when a journey starts under one annual or short-term licence and is continued under the other, issued for the next consecutive period, both licences should be kept on board for the whole journey, and the logbook for the licence under which the journey is finished shall contain information about the whole journey, while the driver shall indicate in the column „Special remarks“ the number of the licence under which the journey started.
- (6) ECMT licences, logbooks and the relative certificates must not be sealed in foil or coated similarly with a protective film.
- (7) The logbook shall be filled in before starting any journey carried out under load between each loading or unloading place, and for every unladen run.

- (8) The ECMT licence may be used by only one vehicle at a time, and it has to be kept on board the vehicle between the points of loading and unloading for a laden journey or for the whole unladen journey, which precedes or follows a laden journey.
- (9) During the international freight transport operations, the licence, logbook and „EURO V safe“, „EEV safe“ or „EURO VI safe“ certificates are to be kept in the vehicle and must be produced to the competent authorities on request.
- (10) The logbooks shall have the same number as licences to which they refer, with sub-numbering if necessary, if and when the first logbook is completed.
- (11) The information entered into the licence may not be altered, the logbook must be properly and correctly filled out, and any potential corrections shall be made in such a way that the original wording or figures remain legible.

Article 5 (Special limitations)

- (1) An ECMT licence bearing a red stamp may not be used in the territory of the ITF member country to which the stamp refers.
- (2) Licences may only be used on the basis of the EURO class of the vehicle:
 - a) „EURO V safe“, „EEV safe“ vehicle – in which case there is a green stamp with the numeral „V“ in the centre;
 - b) „EURO VI safe“ vehicle - in which case there is a green stamp with the numeral „VI“ in the centre.
- (3) The model of the stamp mentioned in paragraphs (1) and (2) of this Article is given in Annex 1 of this Rulebook which constitutes an integral part thereof.
- (4) Vehicles of higher EURO class may use lower EURO class licences, but not *vice versa*.

II ECMT LICENCES ALLOCATION PROCEDURE AND CRITERIA

Article 6 (Application submission)

- (1) ECMT licences distribution shall be carried out on the basis of a written application submitted by a carrier on the form given in the Annex 2 of this Rulebook which constitutes an integral part thereof.
- (2) The application referred to in paragraph 1 of this Article shall be submitted to the Ministry within the period from 1st to 15th September of the current year, and shall contain the following information:
 - a) the name of the applicant,
 - b) the number of requested licences per licence type,
 - c) tabular overview of the nominated road tractors and trailers.

- (3) The following documents shall be submitted with the application:
- a) an international road haulage permit,
 - b) a valid certificate of registration with respect to each nominated lorry, road tractor or trailer,
 - c) a list of hired drivers registered with the Pension and Disability Insurance Funds on the application submission date.
- (4) For each applicant, the Ministry shall check *ex officio* whether there are:
- a) any outstanding direct tax debts up to (and inclusive of) 30th June of the current year,
 - b) any outstanding indirect tax debts up to (and inclusive of) 30th June of the current year,
 - c) any outstanding pension and disability insurance contributions debts up to (and inclusive of) 30th June of the current year, with respect to all employees.
- (5) Untimely and incomplete applications, as well as the applications found to be non-compliant with the requirements set out in paragraph 4, shall not be taken into consideration.
- (6) The applications submitted by the carriers in respect of who the use of falsified ECMT licences and/or logbooks in the previous one-year period has been proved shall not be taken into consideration.

Article 7
(Allocation criteria)

ECMT licences allocation criteria are as follows:

- a) fleet quality based on EURO class: „EURO V safe“ or „EEV safe“ and „EURO VI safe“ vehicles registered for international road haulage and for which a carrier holds valid copies of the licence,
- b) carrying capacity of the vehicle,
- c) net profit made per nominated vehicle from conducting road transport operations,
- d) number of hired drivers.

Article 8
(Scoring)

- (1) For the purpose of determining the number of licences to be allocated to each carrier, the scoring shall be made following the criteria set out in article 7 of this Rulebook; in respect of the quality of the fleet (the scoring shall be made) on the basis of EURO class:
- a) „EURO V safe“ or „EEV safe“: 1,0 points,
 - b) „EURO VI safe “: 1,2 points.

- (2) Depending on a vehicle carrying capacity, and except for the vehicles used for transporting passenger cars, the points shall be reduced as follows:
- a) in case of vehicles or combinations of vehicles with a carrying capacity of more than 12 tons but less than or equal to 20 tons – by 40 %;
 - b) in case of vehicles or combinations of vehicles with a carrying capacity of more than 7 tons but less than or equal to 12 tons – by 90 %;
 - c) in case of vehicles or combinations of vehicles with carrying capacity of less than 7 tons – by 100 %;
 - d) in case of road tractors without an appropriate trailer – by 80 %;
 - e) in case of vehicles or combinations of vehicles used for transporting oil – by 70 %.
- (3) The applicant shall have his total number of points increased depending on the net profit earned per a vehicle from conducting transport operations for the preceeding calendar year, as follows:
- a) more than 40.000,00 BAM 12,5% on the total number of points,
 - b) more than 30.001 to 40.000,00 BAM 10% on the total number of points,
 - c) more than 20.001,00 to 30.000,00 BAM 7,5% on the total number of points,
 - d) from 10.000,00 to 20.000,00 BAM 5% on the total number of points.
- (4) The applicant referred to in paragraph (3) of this Article who fails to provide the Balance Sheet and Income Statement for the preceeding year showing the net profit earned per a vehicle from conducting transport operations, shall not have his total number of points increased.
- (5) The points, depending on the number of hired drivers, shall be reduced by 80% in case of vehicles without a driver.

Article 9
(Scoring and the allocation order)

- (1) The number of points for each licence type shall be calculated in such a manner that the total number of points accumulated by the carriers involved in the particular licence type allocation procedure is divided by the number of available licences.
- (2) The average number of licence allocation points (hereinafter referred to as: "D") shall be calculated by applying the following formula:
- (total number of points accumulated by all carriers) / [3xA (number of licences available for Austria) + 2xI (number of licences available for Italy) + (number of licences available for Greece) + (number of available licences not valid for Austria, Italy and Greece)].
- (3) With respect to each allocated licence the applicant shall have his total number of points reduced as follows:
- a) for one ECMT licence valid for Austria the total number shall be reduced by D multiplied by three,

- b) for one ECMT licence valid for Italy the total number shall be reduced by D multiplied by two,
 - c) for one ECMT licence valid for Greece the total number shall be reduced by D,
 - d) for one ECMT licence not valid for Austria, Italy and Greece the total number shall be reduced by D.
- (4) Licence allocation procedure on the basis of lower EURO class shall be carried out as follows:
- a) allocation of ECMT licences valid for Austria,
 - b) allocation of ECMT licences valid for Italy,
 - c) allocation of ECMT licences valid for Greece,
 - d) allocation of ECMT licences not valid for Austria, Italy and Greece.

Article 10 **(Licence allocation announcement)**

- (1) The Ministry shall, not later than 1st November of the current year, publish on its official website and display board the list of carriers taking part in the licence allocation procedure, showing the total number of points and requested number of licences per type of licence.
- (2) Carriers may file a complaint with the Ministry against the list referred to in paragraph (1) of this Article within eight days counting from the date of its publication.
- (3) The Ministry shall, not later than 30th November of the current year, issue a decision on the ECMT licence allocation for the ensuing year per type of licence, which shall include the information concerning the number of points accumulated, the type and number of allocated licences as per each carrier, and shall be published on the official website and display board of the Ministry.
- (4) The reserve making 5% of the total number of each type of licences shall be established by the Ministry and allocated during appeal procedures.
- (5) Carriers may file an appeal against the Ministry's decision referred to in this Article. with the BiH Council of Minister's Appeal Council.

Article 11 **(Reserve list)**

- (1) The Ministry shall issue the decision on allocation of potentially uncollected, returned, withdrawn and eventually remained licences referred to in Article 10, paragraph (4) of this Rulebook.
- (2) After the completion of the licence allocation procedure, the Ministry shall publish on its official website and display board the reserve list showing the number of points per each carrier as well as the type and number of licences allocated. .

Article 12
(Collection and return of allocated licences)

- (1) A carrier shall collect the ECMT licence specified in the decision referred to in Article 10, paragraph (3) of this Article not later than 15th January of the year for which the licence in question has been allocated.
- (2) The name and head office of the carrier shall be entered in indelible ink on the ECMT licence by the Ministry.

III ECMT LICENCE USE AND REPORTING

Article 13
(Licence use indicators and record keeping)

- (1) An ECMT licence has not been sufficiently used if:
 - a) a carrier, under the licence valid for Austria, has not performed, on monthly basis, at least six journeys under load out of which 50% to Austria, including transit journeys,
 - b) a carrier, under the licence valid for Italy, has not performed, on monthly basis, at least four journeys under load out of which 50% to Italy, including transit journeys,
 - c) a carrier, under other licences not mentioned in points a) and b) of this paragraph, has not performed, on monthly basis, at least two journeys under load.
- (2) A carrier shall record each journey in chronological order into the logbook which shall be kept for at least one year after the end of the allocated licence validity period.
- (3) Copies of the logbook record sheets referred to in paragraph (2) of this Article, together with the copies of CMR forms for journeys under load, shall be detached and sent to the Chamber not later than the 20th day of each month for the preceding month, in order to keep records of the use of licences.
- (4) Carriers who fail to provide in timely fashion the documents referred to in paragraph (3) of this Article shall be considered, in terms of paragraph (1) of this Article, as having failed to sufficiently use respective licences.
- (5) After reviewing the documents referred to in paragraph (3) of this Article, the Chamber shall provide the Ministry with the report within 30 days from the day of receipt of documents referred to in paragraph (3) of this Article.

IV ECMT LICENCE WITHDRAWAL

Article 14 (Lost or stolen ECMT licences)

- (1) A carrier shall provide the Ministry with a damaged licence and shall be issued with a replacing licence.
- (2) A carrier whose ECMT licence has been lost or stolen shall declare such licence as invalid in the Official Gazette of BiH.
- (3) Lost or stolen licence may be replaced by another licence for remaining part of validity, about which the ITF Secretariat must be notified by the Ministry.
- (4) The Ministry shall issue decision with regard to the replacement referred to in paragraph (3) of this Article. In case of eventual later usage of the licence which has been declared invalid the Ministry shall withdraw both licences.

Article 15 (Licence withdrawal)

- (1) The Ministry shall, by issuing a decision, withdraw issued ECMT licences in case of:
 - a) insufficient use or use for return journeys only,
 - b) use of licences deemed to be invalid,
 - c) entering false information into the logbook,
 - d) the allocated licence being given, leased or otherwise transferred to any other carrier,
 - e) the end of the validity period of the licence for international transport,
 - f) a proven use of forged ECMT licences and/logbooks by a carrier.
- (2) In the case referred to in paragraph (1) of this Article, the carrier shall deliver, within eight days, the licence which has been withdrawn to the Ministry.
- (3) In case that the competent authority withdraws the ECMT licence from a carrier, the Ministry shall deal with the eventual procedure for issuing a replacing ECMT licence and/or logbook after the procedure by competent authorities has been completed.

V TRANSITIONAL AND FINAL PROVISIONS

Article 16 (Repeals)

- (1) Upon entry into force of this Rulebook, the provisions of the Rulebook on criteria, procedure and manner of allocation of foreign licences for freight transport to domestic carriers (Official Gazette of BiH, 35/02, 79/09 and 83/14), in part relating to the ECMT licences, shall cease to have effect.
- (2) The criteria set out in Article 7, point c) and Article 8, paragraph (3) shall apply starting from 1st January 2020.

Article 17
(Entry into force)

This Rulebook shall enter into force on the day following the day of its publication in the Official Gazette of BiH.

Number: _____
Sarajevo, _____

MINISTER

mr. Ismir Jusko

Model of stamps imprinted on the ECMT licences



Stamps bearing respective marks A (not valid in Austria), GR (not valid in Greece), H (not valid in Hungary), I (not valid in Italy), RUS (not valid in Russia) shall be printed in red



Stamps bearing respective marks „EURO IV safe“, „EURO V safe“ or „EURO VI safe“ shall be printed in green

Annex 2

DESIGNATION OF _____
 TRANSPORT _____
 UNDERTAKING: _____
 Place: _____
 telephone/fax: _____
 mob: _____
 e-mail: _____

LICENCE NUMBER

VAT ID NUMBER

**BOSNIA AND HERZEGOVINA
 MINISTRY OF COMMUNICATIONS
 AND TRANSPORT
 Trg BiH 1, 71000 Sarajevo**

ECMT LICENCE ALLOCATION APPLICATION**FOR 20__**

In view of our transport undertaking business needs, we approach you with the request for allocation of the following licences:

Mark	Licence type - remarks	Number of requested licences*
A	Valid in Austria not valid in Italy and Greece	
I	Valid in Italy, not valid in Austria and Greece	
GR	Valid in Greece, not valid in Austria and Italy	
O	Not valid in Austria, Italy and Greece	

*In the table above we have indicated **the number of requested licences**. We agree that the licences for which we have accumulated sufficient number of points shall be taken into consideration during the licence allocation process.

In performing international freight transport, we provide transport services which cover:

Russia YES NO

Hungary YES NO

(please circle the appropriate choice)

TABULAR OVERVIEW SHOWING NOMINATED ROAD TRACTORS AND TRAILERS¹

No.	REG. NUMBER OF LORRY OR ROAD TRACTOR	EURO CLASS	REG. NUMBER OF TRAILER	No.	REG. NUMBER OF LORRY OR ROAD TRACTOR	EURO CLASS	REG. NUMBER OF TRAILER
1				21			
2				22			
3				23			
4				24			
5				25			
6				26			
7				27			
8				28			
9				29			
10				30			
11				31			
12				32			
13				33			
14				34			
15				35			
16				36			
17				37			
18				38			
19				39			
20				40			

NOTE:

Respective trailers to be listed with each road tractor.

I, acting in my capacity as an authorised representative in the undertaking, hereby declare, under full material and criminal responsibility, that the nominated vehicles have:

1. valid Certificate of compliance with ECMT technical requirements for vehicles, issued by the authorised representative in Bosnia and Herzegovina;
2. valid Certificate of compliance with ECMT technical and safety requirements, in accordance with the tested values and braking systems, issued by the competent institutions.

I, acting in my capacity as an authorised representative in the undertaking, hereby declare, under full material and criminal responsibility, that the undertaking:

has no outstanding indirect taxation liabilities, outstanding direct taxation liabilities, and outstanding liabilities for health, pension and disability insurance for any of the employees for the first six months of the current year.

Signature of the authorised person: _____

Along with the application, in accordance with Article 6, paragraph (3) of the Rulebook on ECMT licences for international freight transport, I am submitting an original or a certified copy of the following documents:

- valid Carrier's licence for international road freight transport;
- list of employees registered with the Pension and Disability Insurance Funds on the application submission date;
- certificates of registration for each nominated lorry, road tractor and trailer.

Signature of the authorised person and stamp: _____

In _____, on _____ 20__.

¹ For each road tractor or trailer please enter the registration number in the appropriate column. Please enter ECO features of the vehicle in the appropriate column. Respective trailers should be listed with each road tractor in accordance with the Note.