

**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

Group on Road Transport

Report by PORTUGAL on current state of implementation of the QUALITY CHARTER

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

The document was revised in November 2022.

JT03518646



Mr. José Viegas
Secretary General of the
International Transport Forum
OECD/ITF
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S/ Referência	S/ Comunicação	N/ Referência	Data
		030200110017208	06.02.2017

Subject: Formal application for Quality Charter Compliance Status

Dear Mr. Secretary General,

We are pleased to inform you that Portugal is compliant with the requirements of the Quality Charter for International Road Haulage Operations under the ECMT Multilateral Quota.

Compliance with the Charter is mainly achieved through European Union Regulations and the implementation of relevant European Union Directives, namely Regulations 1071/2009, 561/2006, 3821/85 and Directives 2002/15/EC, 2006/22/EC and 2003/59/EC.

These legal instruments are supported / complemented by a number of domestic legal acts – some of them transposing EU legislation into the national legal framework, others, such as the Labour Code, governing horizontal issues on employment conditions, or, as the Administrative Rule no. 63/74, defining the conditions for the implementation of the multilateral quota by the national competent authority.

In application of these provisions, *Instituto da Mobilidade e dos Transportes* (IMT) manages the Portuguese ECMT permit allocations and ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to their issue.

Further information on the legal acts and/or administrative processes adhered to ensure that the provisions of the Charter are met by Portuguese holders of ECMT licenses is provided in the check list submitted with this statement of compliance.

Yours faithfully,



Eduardo Feio
President of the Board



Ana Miranda
Member of the Board

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

COUNTRY: PORTUGAL

NATIONAL AUTHORITY: INSTITUTO DA MOBILIDADE E DOS TRANSPORTES, I.P.

MINISTRY OF INFRASTRUCTURES AND HOUSING

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

A) Conditions of establishment (Chapter II, 2)

Implemented

Article 2.2.a)	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 5(a) <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p>
Article 2.2.b)	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 5(e) • By-law no. 257/2007 - article 14 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>
Article 2.2.c)	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 5(f) <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p>

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

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
Any other comments:	-

B) Good Repute (Chapter II, 3)

Implemented

Article 3.1.	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 6 • By-law no. 257/2007- article 5 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</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>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 6 • By-law no. 257/2007- articles 5, 6 and 7 • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 6(1) and Annex IV • By-law no. 257/2007- article 5 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>
Article 3.3.	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - articles 4 to 6 • By-law no. 257/2007- articles 5, 6 and 7 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>

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

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
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Any other comments:	
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C) Professional competence (Chapter II, 4)

Implemented

<p>Article 4.2, incl.:</p> <p>- List of knowledge (4.2.a); b); cf.annex1)</p> <p>- Examination required: oral; written; exempted (cf. 4.2.c))</p>	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009 as amended by Regulation (EU) 2020/1055- article 8 and Annex I • By-law no. 257/2007- articles 6 and 7 and Annex I <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 8 and 9 • By-law no. 257/2007- article 7 and Annex II • Administrative Rule no. 1017/2009 - article 13 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p> <p>Administrative Rule no. 1017/2009</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>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 8 and Annex I • By-law no. 257/2007- article 7 and Annex II • Administrative Rule no. 1017/2009 - article 13 <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 8 • Administrative Rule no. 1017/2009 - articles 4 to 12 and Annex I

- pre-training (4.3.c))	<ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 8 • By-law no. 257/2007 - article 7 and Annex II <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p> <p>Administrative Rule no. 1017/2009</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>✓ Fully</p> <p><u>Implemented by:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 8 and Annex III • By-law no. 257/2007- article 7 <p>- Instituto da Mobilidade e dos Transportes, I.P. [<i>model attached – Annex I</i>]</p> <p>- not applicable</p> <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p> <p>Administrative Rule no. 1017/2009</p>

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

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
Any other comments:	-

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

<p>Article 5.2., including Capital required for:</p> <p>- first vehicle</p> <p>- each additional vehicle</p>	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 7 • By-law no. 257/2007 - article 9 <p>- €9.000,00</p> <p>- € 5.000,00</p> <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>
<p>Article 5.3 & 5.4</p>	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 7 • By-law no. 257/2007- article 9 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>
<p>Article 5.5.</p>	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 7 • By-law no. 257/2007 - article 9 <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p>

	By-law no. 257/2007
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Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
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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: [Decree no. 324/73, June 30th](#)

[By-Law no. 237/2007, June 19th](#)

B) Driver training (Chapter III, 2)

Implemented

Article 2.1:	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law no. 102-C/2020 - articles 3, 4 and 5 <p>Useful Links:</p> <p>By-Law no. 102-C/2020</p>
Article 2.2.a) - Initial qualification , incl:	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law no. 102-C/2020 - articles 6, 7 and 8
- List of knowledge (cf.annex4)	<p>- By-Law no. 102-C/2020, Annexes I (no.2), II and III – List of contents:</p> <ul style="list-style-type: none"> 2.1 - Advanced training in rational driving based on safety regulations <ul style="list-style-type: none"> 2.1.1 - Mechanics and electronics 2.1.2 - Defensive, rational and environmental friendly driving 2.2 - Applicable legislation <ul style="list-style-type: none"> 2.2.1 - Labour legislation 2.2.2 - Legislation relating to road transport 2.3 - Health, road safety, environmental safety, services and logistic <ul style="list-style-type: none"> 2.3.1 - Road accidents / fatalities 2.3.2 - Prevention of criminality in road transport 2.3.3 - Health, security and hygiene at work

	<p>2.3.4 - Emergency situations and first aid</p> <p>2.3.5 - Interpersonal relations and quality of service</p> <p>2.3.6 - Economic environment and market organization</p> <p>2.3.7 - Information and communication technologies</p> <p>2.4 - Individual Driving</p> <p>2.4.1 - Practical training By-Law no.102-C/2020, Annex II and III - compulsory course attendance and test</p>
- Course + test, or, a test only	- By-Law no. 102-C/2020, Annex II and III – compulsory course attendance and test
- exemptions	<p>- By-Law no. 102-C/2020, Article 33 – exemptions:</p> <p>The following drivers shall be exempted from the requirement to obtain an initial qualification:</p> <p>(a) drivers who hold a category D and D+E or a subcategory D1 and D1+E license, issued no later than 9 September 2008;</p> <p>(b) drivers who hold a category C and C+E or a subcategory C1, and C1+E licence, issued no later than 9 September 2009.</p>
	<p>Useful Links:</p> <p>By-Law no. 102-C/2020</p>
Article 2.2.b) - Periodic training, incl:	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law no. 102-C/2020, Article 9
- List of knowledge (cf.annex4)	<p>- By-Law no. 102-C/2020, Annex I (no. 2) and IV - List of contents:</p> <p>2.1 - Advanced training in rational driving based on safety regulations</p> <p>2.1.1 - Mechanics and electronics</p> <p>2.1.2 - Defensive, rational and environmental friendly driving</p> <p>2.2 - Applicable legislation</p> <p>2.2.1 - Labour legislation</p> <p>2.2.2 - Legislation relating to road transport</p> <p>2.3 - Health, road safety, environmental safety, services and logistic</p> <p>2.3.1 - Road accidents / fatalities</p> <p>2.3.2 - Prevention of criminality in road transport</p> <p>2.3.3 - Health, security and hygiene at work</p> <p>2.3.4 - Emergency situations and first aid</p> <p>2.3.5 - Interpersonal relations and quality of service</p>

	<p>2.3.6 - Economic environment and market organization</p> <p>2.3.7 - Information and communication technologies</p> <p>2.4 - Individual Driving</p> <p>2.4.1 - Practical training</p> <p><i>(Note: Periodic training aims at updating the driver's knowledge, with particular emphasis on road safety and rationalization of fuel consumption, by means of furthering and reviewing the contents referred to above)</i></p>
- Number of hours (35)	-By-Law no. 102-C/2020, Annex IV- 35 hours
- Periodicity (every 5 Y.)	-By-Law no. 102-C/2020, Annex IV - compulsory every 5 years
- first periodic training to be completed by [31 Dec 2019]	<p>- By-Law no. 102-C/2022, article 33(3):</p> <p>Holders of driving licenses of categories C and C + E and subcategories C1 and C1 + E, issued before 9 September 2009, must obtain the periodic training and the corresponding CPC and driver qualification card as follows:</p> <p>a) Until 10 September 2012, those who are not older than 30 years of age;</p> <p>b) Until 10 September 2013, those who are between 31 and 40 years of age;</p> <p>c) Until 10 September 2014, those who are between 41 and 50 years of age;</p> <p>d) Until 10 September 2016, those who are over 50 years old.</p>
	<p>Useful Links:</p> <p>By-Law no. 102-C/2020</p>
Articles 2.3; 2.4 - approval of training centres	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law no. 102-C/2020 - articles 13-A, 14-A, 15 and 17 and Annex I • Administrative Rule no. 851/2010 Annex II <p>Useful Links:</p> <p>By-Law no. 102-C/2020</p> <p>Administrative Rule no. 851/2010</p>
Article 2.6 - CPC proof, incl.:	<p>✓ Fully</p> <p><u>Implemented by:</u></p> <p>- By-Law no. 102-C/2020 - Annex V</p>

- Sign affixed on driver licence (permit)	- By-Law no. 102-C/2020, article 4(4)
- Driver Qualification card (cf. annex 5)	- By-Law no. 102-C/2020 - Annex V – [model attached- Annex 2 of the present application]
- IRU Academy CPC	- Not applicable
	Useful Links: By-Law no. 102-C/2020

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

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
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Any other comments:	-
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C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	✓ Fully <u>Corresponding National Provision / Implementing Legislation:</u> • Law no. 7/2009, 12 February 2009, as amended Useful Links: Law no. 7/2009
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Any other comments:	
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SECTION 3. PROVISIONS REGARDING CHECKS AND PENALTIES
(Chapter IV of the Charter)

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

Implemented

<p>1.2.1: re. provisions on undertakings, incl.:</p> <p>- authorisations</p> <p>- training/ examinations</p> <p>- CPC</p>	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law no. 257/2007 - articles 3, 5, 6, 7, 9, 13, 14 and 21 • Administrative Rule no. 1017/2009 - articles 1, 2 and 13 and Annex II <p>- Instituto da Mobilidade e dos Transportes, I.P.</p> <p>- Instituto da Mobilidade e dos Transportes, I.P.</p> <p>- Instituto da Mobilidade e dos Transportes, I.P.</p> <p>Useful Links:</p> <p>By-law no. 257/2007</p> <p>Administrative Rule no. 1017/2009</p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <p>- training/ examinations</p> <p>- CPC</p>	<p>✓ Fully</p> <p><u>Corresponding National Provision / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law no. 102-C/2020 - articles 13-A, 23 to 26 • Administrative Order no. 26482/2009 • Administrative Order no. 26483/2009 • Law no. 27/2010 – articles 9 and 10 <p>Instituto da Mobilidade e dos Transportes, I.P.</p> <p>Guarda Nacional Republicana (GNR) and Polícia de Segurança Pública (PSP)</p> <p>Instituto da Mobilidade e dos Transportes, I.P.</p> <p>Useful Links:</p> <p>By-Law no. 102-C/2020</p> <p>Administrative Order no. 26482/2009</p> <p>Administrative Order no. 26483/2009</p> <p>Law no. 27/2010</p>

Articles 1.2.3- 1.2.4.	<p>✓ Fully</p> <p><u>Adopted procedure on mutual assistance:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 18 • Law no. 27/2010 – articles 9 and 10 <p>Authority: Instituto da Mobilidade e dos Transportes, I.P.</p> <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>Law no. 27/2010</p>
Article 1.2.5	<p>✓ Fully</p> <p>Authorities:</p> <ul style="list-style-type: none"> – Instituto da Mobilidade e dos Transportes Terrestres, I. P. <p>Penalties:</p> <ul style="list-style-type: none"> – Administrative Rule no. 63/74 - article 11 – Chapter 6 of the ECMT Multilateral Quota User Guide – By-Law no 257/2007 - articles 21 to 36 (as regards infringements to legislation on the pursue of the occupation and access to the market) – By-Law no. 102-C/2020 - articles 26 to 30 (as regards training) – By-Law no. 169/2009 - article 7 (as regards installation and use of recording equipment) – Law no. 27/2010 - articles 17 to 28 (as regards driving time and rest periods) <p>Useful Links:</p> <p>Administrative Rule no. 63/74</p> <p>By-Law no. 257/2007</p> <p>By-Law no. 102-C/2020</p> <p>By-Law no. 169/2009</p> <p>Law no. 27/2010</p>
Article 1.3.	<p>✓ Fully</p> <p>Instituto da Mobilidade e dos Transportes, I.P.</p> <ul style="list-style-type: none"> – Ms. Cristina Mendes – ana.c.mendes@imt-ip.pt – Ms. Lurdes Nunes – maria.l.nunes@imt-ip.pt – Ms. Diana Botelho – diana.j.botelho@imt-ip.pt <p>Useful Links: <i>see above</i></p>

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

Provision of the Charter:	-
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B) Checks (Chapter IV, 2)

Implemented

Article 2.1. - checks re. Drivers, incl:	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 561/2016, as amended by Regulation (EU) 2020/1054 • Law no. 27/2010 - articles 4 (organisation of checks, frequency and scope), 5 (roadside) and 6 (premises of undertakings) <p>Useful Links:</p> <p>Regulation (EC) no. 561/2016, as amended</p> <p>Law no. 27/2010</p>
- 2.1.1. Driving times and rest periods (cf. also. Annex 6):	<p>Designated National Authority / Body:</p> <ul style="list-style-type: none"> • <u>Checks at premises of undertakings:</u> <ul style="list-style-type: none"> - Instituto da Mobilidade e dos Transportes, I. P. - Autoridade para as Condições do Trabalho • <u>Roadside checks:</u> <ul style="list-style-type: none"> - Instituto da Mobilidade e dos Transportes, I. P. - Autoridade para as Condições do Trabalho - Guarda Nacional Republicana - Polícia de Segurança Pública • <u>Co-ordination body:</u> <ul style="list-style-type: none"> - Instituto da Mobilidade e dos Transportes, I. P.
	<p>Frequency and Scope:</p> <p>Checks must cover at least 3% of the total days worked by drivers, broken down as follows: a minimum of 30% at the roadside and a minimum of 50% at the premises of undertakings.</p> <p>The roadside checks foreseen in article 5, no. 4 of Law no. 27/2010 must cover the items listed under Part A of the Annex. The checks carried out at the premises of the undertakings, as foreseen in article 6, no. 2, shall cover the items listed under Part B of the Annex.</p>

	<p>Useful Links:</p> <p>Regulation (EC) no. 561/2016, as amended</p> <p>Law no. 27/2010</p>
Article 2.2. - Checks re. Undertakings, incl:	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 12 • By-Law 257/2007 - article 3(2) <p>National Authority/Body: - Instituto da Mobilidade e dos Transportes, I.P.</p> <p>Frequency of checks: regularly</p> <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-Law no. 257/2007</p>

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

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
Any other comments:	-

C) Classification of Infringements (Chapter IV, 3)

Implemented

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Law no. 27/2010 - articles 17 to 20 and 23 to 27 <p>Content/List:</p> <p>article 17 – minimum age for drivers (crew); article 18 – driving periods; article 19 – uninterrupted driving periods; article 20 – breaks and rest periods; article 23 - bonuses or wage supplements; articles 24, 25, 26 and 27 - Installation and use of recording equipment and information recorded by the recording equipment</p>
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	Useful Links: Law no. 27/2010
Article 3.2. re. undertakings, incl:	<p>✓ Fully</p> <p>Corresponding National Provisions / Implementing Legislation:</p> <ul style="list-style-type: none"> • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 6(1), 6(2) and Annex IV • Law no. 27/2010 - articles 6, 7 and 26 <p>Content/List:</p> <p>Regulation (EC) no.1071/2009, as amended – commercial law; tax law; insolvency law; pay and employment conditions in the profession; road traffic; professional liability; trafficking in human beings or drugs; the driving time and rest periods of drivers; working time and the installation and use of recording equipment; the maximum weights and dimensions of commercial vehicles used in international traffic; the initial qualification and continuous training of drivers; the roadworthiness of commercial vehicles; the posting of workers in road transport; the law applicable to contractual obligations; cabotage; access to the market in international road haulage; safety in the carriage of dangerous goods by road; the installation and use of speed-limiting devices; driving licences; admission to the occupation; animal transport</p> <p>Law no. 27/2010 - articles 6, 7, Part A and B of the Annex – driving times and rest periods and driver card and recording equipment and their output; article 26 – record sheets, driver card conditions and data Law</p> <p>Useful Links:</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>Law no. 27/2010</p>

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

Provision of the Charter:	Corresponding National Provision: <i>Not Applicable</i>
Any other comments:	-

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

Article 4.1.	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Administrative Rule no. 63/74 - article 11 • Chapter 6 of the ECMT Multilateral Quota User Guide • Law no. 27/2010 - articles 5 (penalties applied without discrimination), 14 (penalties), 28 (immobilisation of the vehicle) • By-Law 257/2007- article 34 <p>Useful Links:</p> <p>Administrative Rule no. 63/74</p> <p>Law no. 27/2010</p> <p>By-Law no. 257/2007</p>
<p>Article 4.2.on drivers incl, infringements re:</p> <p>- 4.2.1. AETR rules</p> <p>- 4.2.2. driver training</p>	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Law no. 27/2010 - articles 1(2) and 14 <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • By-Law 102-C/2020 - articles 25, 26 <p>Useful Links:</p> <p>Law no. 27/2010</p> <p>By-Law no. 102-C/2020</p>
Article 4.3. on undertakings:	<p>✓ Fully</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Administrative Rule no. 63/74 - article 11 • Chapter 6 of the ECMT Multilateral Quota User Guide • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 • By-Law 257/2007 <p>Useful Links:</p> <p>Administrative Rule no. 63/74</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>

- 4.3.1.	<p>Competent Authority/Body: Instituto da Mobilidade e dos Transportes, I.P.</p> <p><u>Corresponding National Provisions / Implementing Legislation:</u></p> <ul style="list-style-type: none"> • Administrative Rule no. 63/74 - article 11 • Chapter 6 of the ECMT Multilateral Quota User Guide • Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - articles 10 and 13 • By-Law 257/2007 - article 13
- 4.3 2.	<p>Notification / Time limits for rectifying the situation: Regulation (EC) no. 1071/2009, as amended by Regulation (EU) 2020/1055 - article 13</p> <p>Useful Links:</p> <p>Administrative Rule no. 63/74</p> <p>Regulation (EC) no. 1071/2009</p> <p>Regulation (EU) 2020/1055</p> <p>By-law no. 257/2007</p>

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

Provision of the Charter:	-
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NOTES:**English translation of the designations of National Competent Authorities referred to in the text:**

- Instituto da Mobilidade e dos Transportes, I.P. (Institute for Mobility and Transport) – www.imt-ip.pt
- Autoridade para as Condições do Trabalho (*Authority for Working Conditions*) - www.act.gov.pt
- Guarda Nacional Republicana (*National Republican Guard*) - www.gnr.pt
- Polícia de Segurança Pública (*Public Security Police*) - www.psp.pt

English designation of the legislation referred to in the report:

As referred to in the report:	Translation into English:	Link:
Regulation (EC) no. 1071/2009, 21.10	Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC	Regulation (EC) no. 1071/2009
Regulation (EU) 2020/1055, 15.07	Regulation (EU) 2020/1055 of the European Parliament and of the Council of 15 July 2020 amending Regulations (EC) No 1071/2009, (EC) No 1072/2009 and (EU) No 1024/2012 with a view to adapting them to developments in the road transport sector	Regulation (EU) 2020/1055
Law no. 7/2009, 12.02	Law no. 7/2009 of 12 February (approves the revision and republishes the Labour Code)	Law no. 7/2009
Law no. 27/2010, 30.08	Law no. 27/2010 of 30 August (lays down the rules on penalties applicable to infringements of the rules on driving times, breaks and rest periods and to the control of the use of tachographs in road transport, transposing Directive no. 2006/22 / EC, as amended by Directives 2009/4 / EC and 2009/5 / EC)	Law no. 27/2010
By-law no. 257/2007, 16.07	By-Law no. 257/2007 of 16 July (establishes the legal regime applicable to the carriage of goods by road by means of vehicles with a gross weight of 2500 kg or more)	By-law no. 257/2007

By-Law no. 237/2007, 19.06	By-Law no. 237/2007 of 19 June (transposes Directive 2002/15 / EC on the organisation of the working time of persons performing mobile road transport activities)	By-Law no. 237/2007
By-Law no. 102-C/2020	By-Law no. 102-C/2020 of 9 December (transposes Directive (EU) 2018/645, on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods and passengers)	By-Law no. 102-C/2020
By-Law no. 169/2009, 31.07	By-Law no. 169/2009 of 31 July (defines the infringement regime applicable to non-compliance with the rules on the installation and use of the tachograph established in Council Regulation (EEC) no. 3821/85, as amended by Council Regulation (EC) no. 2135/98 and Regulation (EC) no. 561/2006)	By-Law no. 169/2009
Decree no. 324/73, 30.06	Decree no. 324/73 of 30 June (approves, for ratification, the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR) and its Protocol of Signature)	Decree no. 324/73
Administrative Rule no. 63/74, 31.01	Administrative Rule no. 63/74 of 31 January (defines the conditions for the implementation of the ECMT multilateral quota system for the international carriage of goods by road)	Administrative Rule no. 63/74
Administrative Rule no. 1017/2009, 09.09	Administrative Rule no. 1017/2009 of 9 September (establishes the conditions for the recognition of training entities and training courses for professional capacity to carry out road haulage activities, as well as the conditions for obtaining and the validity of the certificate of professional capacity and approves rules on the recognition and organization of training courses and examinations of professional capacity)	Administrative Rule no. 1017/2009
Administrative Order no. 26482/2009, 21.10	Administrative Order no. 26482/2009 of 21 October (establishes the model of the certificate of professional competence (CPC) of certain vehicles used for the transport of goods and passengers by road and the conditions for carrying out the examinations)	Administrative Order no. 26482/2009
Administrative Order no. 26483/2009, 21.10	Administrative Order no. 26483/2009 of 21 October (establishes the models of certificate of recognition of training entities and of training courses to obtain the certificate of professional capacity for the transport of goods by road)	Administrative Order no. 26483/2009

ANNEX 1. National Model of the Certificate of Professional Competence



(1)

Comunidade Europeia



**CERTIFICADO DE CAPACIDADE PROFISSIONAL PARA O
TRANSPORTE RODOVIÁRIO DE MERCADORIAS**

N.º 11485/2016

O Instituto da Mobilidade e dos Transportes, I.P. certifica que (2):
 , nascido em e natural de COIMBRA, titular do
 Cartão de Cidadão n.º , concluiu com aproveitamento as provas do exame (ano:
 2016; sessão: 8) (3) exigidas para a obtenção do certificado de capacidade profissional para o
 transporte rodoviário de mercadorias nos termos do Regulamento (CE) n.º 1071/2009 do
 Parlamento Europeu e do Conselho, de 21 de Outubro de 2009, que estabelece regras comuns
 no que se refere aos requisitos para o exercício da actividade de transportador rodoviário (4).

*O presente certificado constitui prova suficiente da capacidade profissional a que se refere o
 artigo 21.º do Regulamento (CE) n.º 1071/2009.*

Emitido em Lisboa, em 08 de novembro de 2016.

A Chefe do Departamento de Formação e Certificação de Profissões e Atividades

(5)

(1) Siglas distintivas dos Estados-Membros: (B) Bélgica, (BG) Bulgária, (CZ) República Checa, (DK) Dinamarca, (D) Alemanha, (EST) Estónia, (IRL) Irlanda, (GR) Grécia, (E) Espanha, (F) França, (I) Itália, (CY) Chipre, (LV) Letónia, (LT) Lituânia, (L) Luxemburgo, (H) Hungria, (MT) Malta, (NL) Países Baixos, (A) Áustria, (PL) Polónia, (P) Portugal, (RO) Roménia, (SLO) Eslovénia, (SK) Eslováquia, (FIN) Finlândia, (S) Suécia, (UK) Reino Unido.

(2) Nome e apelido, local e data de nascimento.

(3) Identificação do exame.

(4) JO L 300 de 14.11.2009, p. 51.

(5) Assinatura e carimbo da autoridade ou organismo que emite o certificado.

ANNEX 2. National Model of the Driver Qualification Card

