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17 October 2024

**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

Group on Road Transport

Report by the REPUBLIC OF ARMENIA on Implementation of the Quality Charter

APPENDIX III:

Decision by the Government of the Republic of Armenia on establishing the requirements for business reputation of undertakings of the Republic of Armenia carrying out interstate haulage to Member States of the European Conference of Ministers of Transport № 1600-N approved on 10 October 2024

This document amends the Application by the REPUBLIC OF ARMENIA
ITF/TMB/TR(2016)3/ADD42/FINAL.

JT03552243

GOVERNMENT OF THE REPUBLIC OF ARMENIA

DECISION

№ 1600-N of 10 October 2024

**ON ESTABLISHING THE REQUIREMENTS FOR BUSINESS REPUTATION OF
UNDERTAKINGS OF THE REPUBLIC OF ARMENIA CARRYING OUT INTERSTATE
HAULAGE TO MEMBER STATES OF THE EUROPEAN CONFERENCE OF MINISTERS
OF TRANSPORT**

Guided by part 12 of Article 7 of the Law "On road transport", the Government of the Republic of Armenia hereby *decides*:

1. To establish the requirements for business reputation of undertakings of the Republic of Armenia carrying out interstate haulage to member states of the European Conference of Ministers of Transport, pursuant to the Annex.
2. This Decision shall enter into force on the tenth day following the day of its official promulgation.

**Prime Minister
of the Republic of Armenia**

Yerevan

N. Pashinyan

Annex
to Decision of the Government
of the Republic of Armenia
№ 1600-N of 10 October 2024

REQUIREMENTS

FOR BUSINESS REPUTATION OF UNDERTAKINGS OF THE REPUBLIC OF ARMENIA CARRYING OUT INTERSTATE HAULAGE TO ECMT MEMBER STATES

1. In order to carry out haulage within the ECMT Multilateral Quota System, legal entities or individual entrepreneurs carrying out interstate road haulage (hereinafter referred to as "the undertakings") must meet the Requirements for Business Reputation established under the Quality Charter for International Road Haulage Operations (hereinafter referred to as "the Business Reputation").
2. The undertakings must submit to the authorised state body in the transport sector (hereinafter referred to as "the authorised body") the information required for meeting the Requirements for Business Reputation, on the basis whereof the authorised body shall maintain a register.
3. The Requirements for Business Reputation shall be considered as met, where:
 - (1) the undertaking is registered in the electronic system of the State Register of Legal Entities of the Ministry of Justice in accordance with the requirements of the legislation of the Republic of Armenia;
 - (2) the undertaking has a transport manager with professional competence complying with the requirements of part 9 of Article 7 of the Law "On road transport" who is responsible for organising the transport. An employee, the director, the owner or a shareholder of the undertaking may be a transport manager;

- (3) the undertaking has not been declared bankrupt in accordance with the requirements of the Law "On bankruptcy";
- (4) the undertaking and the transport manager thereof have not been subjected to criminal liability for committing a grave criminal offence in the following spheres:
 - a. commercial law;
 - b. ensuring of road traffic safety;
 - c. trafficking;
 - d. traffic of narcotic drugs and psychotropic (psychoactive) substances;
- (5) the undertaking and the transport manager thereof have not been subjected to criminal or administrative liability for committing violations in the following spheres:
 - a. violations of the requirements for driving by the personnel of a motor vehicle and for periods of rest and the requirements of the legislation on the use of digital tachographs;
 - b. more than one violations of the requirements for the maximum permissible mass of vehicles carrying out international haulage and/or the load on one axle, as well as maximum sizes of large dimensions in the course of one year;
 - c. violations of the professional training and professional competence of drivers, as well as the legislation establishing the requirements for driver's licences;
 - d. violations of the requirements of the legislation regulating the process of mandatory technical inspection of vehicles;
 - e. violations of the requirements for road transport of dangerous freight and animals;
 - f. violations of the requirements for permits to be involved in activities;
- (6) the undertaking has sufficient financial resources provided for by the Quality Charter, under which it must have at least the equivalent of EUR 9000 in Armenian drams in the case of one vehicle, and at least EUR 5000 in Armenian

drams for each subsequent vehicle. The undertaking shall submit the information on financial resources in the format of the annual balance of the last reporting year or in the format of a report on financial results. Other financial resources accessible for the undertaking, including the bank deposits, the opportunity to take out a loan, the assets, the circulating capital, the bank guarantee, as well as the liability insurance for activities may be taken into consideration as additional means for sufficiency of the financial resources.

4. Where the transport undertaking or the transport manager thereof has been subjected to criminal or administrative liability for the offences provided for by sub-points 4 and 5 of point 3 of these Requirements, the undertaking shall be deprived of business reputation.
5. Business reputation of the undertaking in the register of the authorised body shall be restored, where the implementation of the administrative penalties prescribed for the violations committed by the undertaking or the transport manager thereof is complete, or conviction under the requirements established by the legislation has been expunged or cancelled.
6. Where the undertaking loses its business reputation as a result of being subjected to criminal or administrative liability for the offences committed by the transport manager as provided for by sub-points 4 and 5 of point 3 of these Requirements, the undertaking may restore its business reputation in case of hiring a new transport manager with professional competence instead of the transport manager, in accordance with the requirements of part 9 of Article 7 of the Law "On road transport", and shall submit the information thereon to the authorised body within 10 working days following conclusion of an employment contract therewith.
7. Upon the request of the authorised body, the undertaking must submit the required information related to business reputation which includes the information on the offences related to the activities of the undertaking and the transport manager thereof and on the course of implementation of the administrative penalties prescribed therefor.

8. In case of failure to meet the Requirements provided for by the Quality Charter, the authorised body shall temporarily terminate the issuance of the ECMT permits to the undertaking for carrying out haulage until the undertaking eliminates the reasons for failure to meet the Requirements provided for by the Quality Charter.
9. In case the undertaking fails to meet the Requirements established under the Quality Charter, the authorised body shall notify the undertaking thereon.
10. In the cases prescribed in point 8 of these Requirements, the authorised body may set one of the following periods for the undertaking to eliminate the particular violation:
 - (1) where the transport manager no longer meets the Requirement for business reputation or professional competence, the undertaking shall conclude a temporary employment contract with another transport manager for a period of maximum 6 months, which may be extended for another 3 months in case of death or temporary incapacity of the particular transport manager;
 - (2) in case of need to show relevant information on the undertaking eliminating the violations for restoration of business reputation — for a period of maximum 6 months;
 - (3) in case of failure to meet the Requirement of the Quality Charter for satisfying the financial standing — for a period of maximum 6 months, during which the undertaking shall submit to the authorised body information on the grounds provided for by part 17 of Article 7 of the Law "On road transport" with regard to satisfying the financial standing.

**Chief of Staff to the Prime Minister
of the Republic of Armenia**

A. Harutyunyan