

**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD****Group on Road Transport****Report by UKRAINE on current state of implementation of the QUALITY CHARTER**

Application of Ukraine was approved under Draft Agenda item 5 of the meeting of the Group held on 22-23 March 2018 in Paris conditionally, subject to coming into force of the draft Ministerial Order N°199, amending the conditions on financial standing for ECMT transport operations.

Report has been finalised following coming into force of the Ministerial Order N°199 (dated 4 May 2019) on 17 May 2018.

The report is supplemented by Appendices:

- ITF/TMB/TR(2016)3/ADD44/APP3: laws and by-laws related to implementation of Charter provisions in Ukraine;
- ITF/TMB/TR(2016)3/ADD44/APP4: Order N°199 of Ministry of Infrastructure of Ukraine of 4 May 2018 About amending Order on tendering process and delivery of Licences of European Conference of Ministers of Transport.

The document was revised in May 2023.

JT03520455

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Mr. YOUNG TAE KIM
Secretary-General
of the International
Transport Forum

Dear Mr. Secretary - General!

I have the honour to present my compliments to the International Transport Forum and to you personally and address with the following.

In addition to the letter from the Ministry of Infrastructure of Ukraine dated May 24, 2018, No. 1702/25/14-18 concerning the implementation by Ukraine of the requirements of the Quality Charter regarding the implementation of relevant norms in the legislation of Ukraine, I would like to inform you that Ukraine has fulfilled all the necessary requirements up to date to ensure compliance with the provisions of the Quality Charter in respect of the execution of transport within the framework of the ECMT permits quota system.

I take this opportunity to renew my assurances of my highest respect for the International Transport Forum and you personally and look forward to further fruitful cooperation aimed at the development of transport sector.

Sincerely

Minister

Оржовиченко +380443514185

Volodymyr OMEL'YAN

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14:08

№2954/25/14-18 від 07.09.2018

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

COUNTRY: UKRAINE

NATIONAL AUTHORITY: MINISTRY FOR COMMUNITIES, TERRITORIES AND
INFRASTRUCTURE DEVELOPMENT OF UKRAINE

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

A) Conditions of establishment (Chapter II, 2)

Implemented

Article 2.2.a)	<input checked="" type="checkbox"/> Fully Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015 Item 1 of Annex No. 2 to License Provisions, Information on Availability of Physical Facilities Ensuring the Fulfilment of Technological Operations Item 26 (1), Requirements to Physical Facilities <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF
Article 2.2.b)	<input checked="" type="checkbox"/> Fully Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i> Item 1 of Section III, ECMT License Tender Participation Conditions Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015 Item 1, Annex No. 3 to License Provisions Information about vehicles, in the License Provisions <input checked="" type="checkbox"/> Useful Links: http://zakon2.rada.gov.ua/laws/show/z1076-04 http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF
Article 2.2.c)	<input checked="" type="checkbox"/> Fully Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered with the Justice Ministry of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order

	<p>No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Item 2 of Section IV, <i>The number of haulages performed in the first 3 months of the previous year shall be taken into account during ECMT License distribution</i></p> <p>Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015</p> <p>Item 26 (2-5), <i>Requirements to Physical Facilities</i></p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon2.rada.gov.ua/laws/show/z1076-04</p> <p>http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF</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]	-
Any other comments:	<p>According to provisions of the aforementioned regulations:</p> <ol style="list-style-type: none"> 1. Access to the market of international road haulage operations is granted by Licenses issued on the basis of information submitted by road haulage operators to the licensing authority. 2. Access to the ECMT Multilateral Quota System is granted (in addition to compulsory licensing) on a competitive basis in accordance with the Quality Charter provisions. 3. In addition, according to the latest changes, the list of requirements for admission to the competition has been expanded for road carriers who intend to participate in the competition for the allocation of ECMT multilateral quota. Yes, one of the requirements is to have a license for international transportation for a period of at least 2 years. Also, the participation of vehicles in international traffic is a mandatory condition.

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

Article 3.1.	<input checked="" type="checkbox"/> Fully <p>Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Item 1 of Section III, ECMT License Tender Participation Conditions</p> <p>Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015</p> <p>Item 14, Requirement of Presence of a Properly Qualified Transport Manager</p> <p><input checked="" type="checkbox"/> Useful Links: http://zakon2.rada.gov.ua/laws/show/z1076-04 http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF</p>
Article 3.2., incl: - points a) to e); - list of most serious infringements: point d), items i - vii;	<input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially <p>Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Item 1 of Section III, ECMT License Tender Participation Conditions</p> <p>Annex 3, Infringement leading to loss of good repute and, consequently, denial of access to the ECMT Multilateral Quota System</p> <p><input checked="" type="checkbox"/> Useful Links: http://zakon2.rada.gov.ua/laws/show/z1076-04</p>
Article 3.3.	<input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially <p>Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and</i></p>

	<p><i>Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Item 1 of Section III, ECMT License Tender Participation Conditions</p> <p>Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015</p> <p>Item 14, Requirement of Presence of a Properly Qualified Transport Manager</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon2.rada.gov.ua/laws/show/z1076-04</p> <p>http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF</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]	<p>Corresponding National Provision:</p> <p>According to provisions of the aforementioned regulations, access to the ECMT Multilateral Quota System shall be granted to road haulage operators that have good business repute: undertakings that did not make serious infringements and their managers had not been convicted for offences envisaged by the Quality Charter provisions.</p> <p>Regarding good repute provisions, we request to recognise their equivalence to the Quality Charter provisions, as impeccable business repute is a necessary but not sufficient condition for access to the ECMT Multilateral Quota System.</p>
Any other comments:	<p><i>These provisions were recognised as Charter equivalent by the Group on Road Transport at its meeting on 22-23 March 2018</i></p>

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>Order of the Ministry of Transport of Ukraine No. 551 dd. 26.07.2013 registered by the Ministry of Justice of Ukraine on 22.08.2013, No. 1454/23986, establishing the <i>Order of Upgrading the Qualification of Managers and Specialists Operating in the Sphere of Road Transport Service Provision</i></p> <p>Item 2 of Section IV, Establishing the Procedure of Training and Checking the Knowledge of Managers and Specialists of Transport Operators</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon3.rada.gov.ua/laws/show/z1454-13</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>Order of the Ministry of Transport of Ukraine No. 551 dd. 26.07.2013 registered by the Ministry of Justice of Ukraine on 22.08.2013, No. 1454/23986, establishing the <i>Order of Upgrading the Qualification of Managers and Specialists Operating in the Sphere of Road Transport Service Provision</i></p> <p>Item 2 of Section IV, Establishing the Procedure of Checking the Knowledge of Managers</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon3.rada.gov.ua/laws/show/z1454-13</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>Order of the Ministry of Transport of Ukraine No. 551 dd. 26.07.2013 registered by the Ministry of Justice of Ukraine on 22.08.2013, No. 1454/23986, establishing the <i>Order of Upgrading the Qualification of Managers and Specialists Operating in the Sphere of Road Transport Service Provision</i></p> <p>- Annex 11 CPC Certificate <i>The Ministry of Infrastructure issues a Certificate of Approval of a Training Centre for Upgrading the Qualification of Managers and Specialists Operating in the Sphere of Road Transport Service Provision on Matters of Safety, Fire and Health</i></p> <p>- Training and Consultation Centre of the Association of International Road Hauliers of Ukraine</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon3.rada.gov.ua/laws/show/z1454-13</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: Considering Ukraine's training potential in matters of periodic training of managers of transport companies and the many years of training experience based on Programmes developed by the IRU Academy, we request the recognition of equivalence of training provided in Ukraine to the Quality Charter provisions.
Any other comments:	<i>These provisions were recognised as Charter equivalent by the Group on Road Transport at its meeting on 22-23 March 2018</i>

D) Financial standing (Chapter II, 5)

Implemented

Article 5.2., including Capital required for: - first vehicle - each additional vehicle	<input checked="" type="checkbox"/> Fully Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i> Item 1 of Section III, ECMT License Tender Participation Conditions - EUR 9 000 - EUR 5 000 <input checked="" type="checkbox"/> Useful Links: http://zakon2.rada.gov.ua/laws/show/z1076-04 http://zakon2.rada.gov.ua/laws/show/z0603-18/paran9#n9
Article 5.3 & 5.4	<input checked="" type="checkbox"/> Fully Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and</i>

	<p><i>Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Item 1 of Section III, ECMT License Tender Participation Conditions</p> <p>Annex 2, Information on Financial Standing of a Transport Operator</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon2.rada.gov.ua/laws/show/z1076-04</p>
Article 5.5.	<p><input checked="" type="checkbox"/> Fully</p> <p>Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Item 1 of Section III, ECMT License Tender Participation Conditions</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon2.rada.gov.ua/laws/show/z1076-04</p>

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

Provision of the Charter: [Chapter, article]	-
Any other comments:	<p>According to provisions of the aforementioned regulatory document, access to the ECMT Multilateral Quota System is granted (in addition to compulsory licensing) on a competitive basis in accordance with the Quality Charter provisions, including the information on an undertaking's financial standing.</p>

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 Order of the Ministry of Infrastructure dated November 18, 2020 No. 789 <i>On Approval of the Procedure for Confirming the Professional Competence of Drivers of Vehicles for the Provision of Services for the Transportation of Passengers and Freight</i> approved the Procedure for Confirming the Professional Competence of Drivers of Vehicles for the Provision of Services for the Transportation of Passengers and Freight. <input checked="" type="checkbox"/> Useful Links: https://zakon.rada.gov.ua/laws/show/z0198-21#Text
Article 2.2.a) - Initial qualification , incl: - The content of theoretical and practical courses (cf.annex 3) - Course + test, or, a test only	<input checked="" type="checkbox"/> Fully Order of the Ministry of Infrastructure No. 789 dated November 18, 2020 <i>On Approval of the Procedure for Confirming the Professional Competence of Drivers of Vehicles for the Provision of Services for the Transportation of Passengers and Goods</i> determines that driver training is carried out according to programs of initial, initially reduced and periodic training courses - Fully compliant Course + test

Articles 2.3; 2.4 - approval of training centres	<input checked="" type="checkbox"/> Fully Order of the Ministry of Infrastructure No. 789 dated November 18, 2020 <i>On Approval of the Procedure for Confirming the Professional Competence of Drivers of Vehicles for the Provision of Services for the Transportation of Passengers and Goods</i>
- Definitions of training centers	Ministry for Communities, Territories and Infrastructure Development of Ukraine, which is the competent authority
- List of documents for accreditation of training centers	<p>To obtain the Certificate, an enterprise that wishes to be identified as a training center (hereinafter referred to as the applicant enterprise) submits to the Ministry of Infrastructure of Ukraine, along with a cover letter, an application for the definition of a training center (Appendix 9), to which are attached:</p> <ol style="list-style-type: none"> 1) copies of documents confirming the right of ownership (use) of the business entity - the applicant or the lease of premises where training courses and exams will be held, a platform, a training vehicle, simulators; 2) an information sheet with information about the material and technical base of the business entity - applicant, which will be used to ensure the conduct of training courses (signed by the head, sealed by the business entity - applicant (if any)); 3) copies of curricula approved by the head of the economic entity - the applicant, educational and thematic plans of training courses and test tasks; 4) an information sheet with information about teachers and driver-instructors according to their education, qualifications and experience in professional activities in the field of road transport (signed by the head, sealed by the business entity - the applicant (if any)). <p><input checked="" type="checkbox"/> Useful Links: -</p> <p>https://zakon.rada.gov.ua/laws/show/z0198-21#Text</p>

Article 2.5 - CPC proof	<input checked="" type="checkbox"/> Fully <p>Order of the Ministry of Infrastructure No. 789 dated November 18, 2020 <i>On Approval of the Procedure for Confirming the Professional Competence of Drivers of Vehicles for the Provision of Services for the Transportation of Passengers and Goods</i></p> <p>The Ministry for Communities, Territories and Infrastructure Development of Ukraine determines, within the competence of the persons responsible for signing the CPPK, which issued the training centers of the Academy of the International Road Transport Union, if the training process of such training centers is recognized as meeting the requirements of the Charter of Quality for International Road Haulage Operations under the ECMT Multilateral Quota System, signed by the Ministers of Transport of the member countries International Transport Forum on May 28, 2015 in Leipzig, Germany</p> <p><input checked="" type="checkbox"/> Useful Links: - https://zakon.rada.gov.ua/laws/show/z0198-21#Text</p>
Article 2.6 - CPC proof, - Sign affixed on driver licence (permit) or Driver Qualification card	<input checked="" type="checkbox"/> Fully <p>Order of the Ministry of Infrastructure No. 789 dated November 18, 2020 <i>On Approval of the Procedure for Confirming the Professional Competence of Drivers of Vehicles for the Provision of Services for the Transportation of Passengers and Goods</i></p> <p>- Driver Qualification card</p> <p><input checked="" type="checkbox"/> Useful Links: https://zakon.rada.gov.ua/laws/show/z0198-21#Text</p>

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

Provision of the Charter: [Chapter, article]	
Any other comments:	Order of the Ministry of Infrastructure dated November 18, 2020 No. 789 <i>On approval of the Procedure for confirming the professional competence of vehicle drivers for the provision of services for the transport of</i>

	<i>passengers and goods</i> ” was developed on the basis of the Charter for the Quality of International Road Freight Transport under the ECMT multilateral quota and Directive 2003/59/EU
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C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	<input checked="" type="checkbox"/> Fully <u><i>The Ukrainian Labour Code No. 322-VIII dd. 10.12.1971</i></u> <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/322-08
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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><input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially</p> <p>Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015</p> <p>Order of the Ministry of Transport of Ukraine No. 551 dd. 26.07.2013 registered by the Ministry of Justice of Ukraine on 22.08.2013, No. 1454/23986, establishing the <i>Order of Upgrading the Qualification of Managers and Specialists Operating in the Sphere of Road Transport Service Provision</i></p> <p>- <i>State Service of Ukraine for Transport Safety</i></p> <p>- <i>Ministry for Communities, Territories and Infrastructure Development of Ukraine</i></p> <p>- <i>Ministry for Communities, Territories and Infrastructure Development of Ukraine</i></p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF</p> <p>http://zakon3.rada.gov.ua/laws/show/z1454-13</p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <p>- training/examinations</p> <p>- CPC</p>	<p><input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially</p> <p>Order of the Ministry of Transport of Ukraine No. 551 dd. 26.07.2013 registered by the Ministry of Justice of Ukraine on 22.08.2013, No. 1454/23986, establishing the <i>Order of Upgrading the Qualification of Managers and Specialists Operating in the Sphere of Road Transport Service Provision</i></p> <p>- <i>Ministry for Communities, Territories and Infrastructure Development of Ukraine</i></p> <p>- <i>Ministry for Communities, Territories and Infrastructure Development of Ukraine</i></p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon3.rada.gov.ua/laws/show/z1454-13</p>

Articles 1.2.3- 1.2.4.	<input checked="" type="checkbox"/> Fully Statute of the State Service of Ukraine for Transport Safety Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of the Statute of the State Service of Ukraine for Transport Safety</i> No. 103 dd. 11.02.2015 <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/103-2015-%D0%BF
Article 1.2.5	<input checked="" type="checkbox"/> Fully Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i> Items 2-5 of Section IV, Item 8 of Section II <input checked="" type="checkbox"/> Useful Links: http://zakon2.rada.gov.ua/laws/show/z1076-04
Article 1.3.	<input checked="" type="checkbox"/> Fully Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015 Catherine Onyshchenko – <i>Head of the International Road Transport of the Ministry for Communities, Territories and Infrastructure Development of Ukraine</i> +380 44 351 41 85 mel. e-mail: avtodep@mtu.gov.ua <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF

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

Provision of the Charter: [articles 1.2.1; 1.2.2]	Considering that currently the requirement of CPC Manager and CPC Drivers are applied only to the transport undertakings which participate in the ECMT Multilateral Quota system, we request the recognition of equivalence of these provisions to the Quality Charter requirements.
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Any other comments:	<i>These provisions were recognised as Charter equivalent by the Group on Road Transport at its meeting on 22-23 March 2018</i>
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B) Checks (Chapter IV, 2)**Implemented**

Article 2.1. - checks re. Drivers , incl: - 2.1.1. Driving times and rest periods (cf. also. Annex 6):	<input checked="" type="checkbox"/> Fully Law of Ukraine <i>On Road Transport</i> No. 2344-III dd. 05.04.2001 (as amended, in part, by Law of Ukraine No. 1812-VIII dd. 17.01.2017) Resolution of the Cabinet of Ministers of Ukraine <i>On approval of Procedure for conducting raid inspections</i> No. 1567 dd. 08.11.2006 (as amended by Resolution No. 239 dd.10.03.2017) (The name of the Resolution as amended by Resolution of the CM No. 79 dated 02.02.2022) Item 2. Drivers' compliance with the provisions laid down by the AETR - <u>State Service of Ukraine for Transport Safety</u> <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/2344-14 http://zakon5.rada.gov.ua/laws/show/1567-2006-%D0%BF
Article 2.2. - Checks re. Undertakings, incl:	<input checked="" type="checkbox"/> Fully Resolution of the Cabinet of Ministers of Ukraine <i>On Approval of License Provisions for Conducting Commercial Activity in the Sphere of Road Transport of Passengers, Dangerous Goods, Hazardous Waste, International Road Transport of Passengers and Goods</i> No. 1001 dd. 02.12.2015 - <u>State Service of Ukraine for Transport Safety</u> - <u>Once a year (routine checks)</u> <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/1001-2015-%D0%BF

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

Provision of the Charter: [Chapter, article]	-
Any other comments:	-

C) Classification of Infringements (Chapter IV, 3)**Implemented**

<p>Article 3.1. re. driving times and rest periods (cf. also. Annex 7)</p>	<p><input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially</p> <p>Law of Ukraine <i>On Road Transport</i> No. 2344-III dd. 05.04.2001 (as amended, in part, by Law of Ukraine No. 1812-VIII dd. 17.01.2017)</p> <p>Article 60. Liability for Violation of the Law on Road Transport</p> <p>Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, , and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Annex 3. Infringements Entailing ECMT Licence Withdrawal</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon5.rada.gov.ua/laws/show/2344-14</p> <p>http://zakon2.rada.gov.ua/laws/show/z1076-04</p>
<p>Article 3.2. re. undertakings, incl:</p>	<p><input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially</p> <p>Law of Ukraine <i>On Road Transport</i> No. 2344-III dd. 05.04.2001 (as amended, in part, by Law of Ukraine No. 1812-VIII dd. 17.01.2017)</p> <p>Article 60. Liability for Violation of the Law on Road Transport</p> <p>Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i></p> <p>Annex 3. Infringements Entailing ECMT Licence Withdrawal</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p>http://zakon5.rada.gov.ua/laws/show/2344-14</p> <p>http://zakon2.rada.gov.ua/laws/show/z1076-04</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: The penalties imposed by the national legislation are stricter than those envisaged by the Quality Charter. Request for recognition of equivalence of the national legislation to the Quality Charter provisions.
Any other comments:	<i>These provisions were recognised as Charter equivalent by the Group on Road Transport at its meeting on 22-23 March 2018</i>

D) Penalties (Chapter IV, 4)

Implemented

Article 4.1.	<input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i> Annex 3. Infringements Entailing ECMT Licence Withdrawal <input checked="" type="checkbox"/> Useful Links: http://zakon2.rada.gov.ua/laws/show/z1076-04
Article 4.2.on drivers incl, infringements re: - 4.2.1. AETR rules - 4.2.2. driver training	<input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially Law of Ukraine <i>On Road Transport</i> No. 2344-III dd. 05.04.2001 (as amended, in part, by Law of Ukraine No. 1812-VIII dd. 17.01.2017) Article 60. Liability for Violation of the Law on Road Transport Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i> Items 2-5 of Section IV, Item 8 of Section II, Annex 3. Infringements Entailing ECMT Licence Withdrawal

	<input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/2344-14 http://zakon2.rada.gov.ua/laws/show/z1076-04
Article 4.3. on undertakings: - 4.3.1. - 4.3 2.	<input type="checkbox"/> Fully <input checked="" type="checkbox"/> Partially Law of Ukraine <i>On Road Transport</i> No. 2344-III dd. 05.04.2001 (as amended, in part, by Law of Ukraine No. 1812-VIII dd. 17.01.2017) Article 60. Liability for Violation of the Law on Road Transport Order of the Ministry of Transport of Ukraine No. 757 dd. 20.08.2004 registered by the Ministry of Justice of Ukraine on 31.08.2004, No. 1075/9674 (as worded by Order No. 362 dd. 11.09.2015 with amendments introduced by Order No. 257 dd. 26.07.2017, and as last amended by Order No. 199 dd. 04.05.2018), amending the <i>Procedures for Competitions and Issuance of Authorisations of the European Conference of Ministers of Transport</i> Items 2-5 of Section IV, Item 8 of Section II, Annex 3. Infringements Entailing ECMT Licence Withdrawal <input checked="" type="checkbox"/> Useful Links: http://zakon5.rada.gov.ua/laws/show/2344-14 http://zakon2.rada.gov.ua/laws/show/z1076-04

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

Provision of the Charter: [article]	The provisions of the national legislation are not less strict than those envisaged by the Quality Charter but those provisions are currently applicable only to transport operators and drivers of vehicles operating within the ECMT International Quota system. We request for recognition of equivalence of the national legislation to the Quality Charter provisions
Any other comments:	<i>These provisions were recognised as Charter equivalent by the Group on Road Transport at its meeting on 22-23 March 2018</i>

ANNEX: Certificates of accreditation by IRU Academy and the models of CPC Manager and CPC driver and driver card issued by the Training and Consultation Centre of AsMAP (Ukraine)



iru.org/academy Date 13-06-2017



ACCREDITATION

IRU Academy authorises

TCC AIRCU

In UKRAINE as an IRU Academy Associate Training Institute (ATI) to conduct training for

CPC DRIVER INTERNATIONAL PROGRAMME

and award IRU Academy Certificates, in full compliance with the requirements of IRU Academy, regarding instructor qualification, training and examination to provide and ensure the highest safety and quality in road transport.


 Mr Umberto de Pretto
 Secretary General
 IRU, Switzerland


 Mrs Larissa Dobrukha
 Chairperson AAC

iru.org/academy



CPC DRIVER CERTIFICATE

Awarded on 08 March 2018 to

Ivan TKACHUK

Born in Chernivetskyi reg., Ukraine, on 1 March 1961, certifying qualification in the

Certificate of Professional Competence (CPC) for Driver

Initial Qualification for Truck Drivers Cat. C & C+E, C1, C1+E


Possession of this qualification is confirmed by the IRU Academy on its web site.
This certificate is valid until (Code 95) 07 March 2023.

This course is delivered by the IRU Academy Accredited Training Institute Training Consulting Center - AIRCU on the basis of EU Directive 2003/59/EC, on subjects referred in section 1 of Annex A and the strict criteria fixed by the IRU Academy, endorsed by its high level Advisory Committee, regarding Instructor qualification, training and examination to provide and ensure the highest professional skills and quality in road transport.


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 Mr Umberto de Pretto
 Secretary General
 IRU
 Switzerland


 Mr Serhij KOKOT
 Director
 TCC AIRCU
 Ukraine



iru.org/academy

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This certificate is valid until (Code 95) 07 March 2023.

This course is delivered by the IRU Academy Accredited Training Institute Training Consulting Center - AIRCU on the basis of EU Directive 2003/59/EC, on subjects referred in section 1 of Annex A and the strict criteria fixed by the IRU Academy, endorsed by its high level Advisory Committee, regarding instructor qualification, training and examination to provide and ensure the highest professional skills and quality in road transport.

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Umberto de Pretto
Secretary General
IRU
Switzerland

Mr Serhij KOKOT
Director
TCC AIRCU
Ukraine



Enclosure: Letter from the Ministry of Infrastructure of Ukraine dated 24 May 2018

<p>МІНІСТЕРСТВО ІНФРАСТРУКТУРИ УКРАЇНИ</p> <p>пр-т Перемоги, 14, м. Київ-135, 01135, тел.: (+38 044) 351-40-96, 351-40-01, факс: (+38 044) 351-48-45 www.mtu.gov.ua</p>		<p>MINISTRY OF INFRASTRUCTURE OF UKRAINE</p> <p>14, Peremohy ave., Kyiv, 01135, Ukraine tel: (+38 044) 351-40-96, 351-40-01, fax: (+38 044) 351-48-45 www.mtu.gov.ua</p>
<p>Mr. YOUNG TAE KIM Secretary-General of the International Transport Forum</p>		
<p>Dear Mr. Secretary-General!</p>		
<p>I have the honour to present my compliments to the International Transport Forum and to you personally on this occasion. I would like to address with the following.</p> <p>In May 2015, in the course of the regular meetings of the International Transport Forum (Leipzig, Federal Republic of Germany), the Quality Charter was adopted by the Ministers of Transport of the Member Countries including Ukraine.</p> <p>The Ministry of Infrastructure of Ukraine has carried out the necessary work to comply with the requirements of the Quality Charter in implementing the relevant norms of Ukrainian legislation.</p> <p>I would like to inform you that during the previous meeting of the ITF Group on Road Transport, it was decided to recognize Ukraine as a country that complied with the requirements of the Quality Charter in respect of the carrying out the transport services within the framework of the quota system of the ECMT permits. Taking into account the report of the Ukrainian delegation, there is full implementation of the conditions containing the requirements of a stable financial position of the carrier, which will undertake international carriage by the ECMT permits.</p> <p>In order to comply with these requirements, the Ministry of Infrastructure of Ukraine has developed the Order of the Ministry of Infrastructure of Ukraine № 199 dated May, 04 2018 "On Amendments to the Procedure for Contest and Issue of Permits to the European Conference of Ministers of Transport" (hereinafter referred to as the Order). The provisions of the Order stipulate that the carrier who carries out international carriage by the ECMT permits must have a stable financial condition confirmed by the availability of financial resources equivalent to at least EUR 9,000 for the first vehicle and not less than EUR 5,000 for each subsequent one.</p> <p>Given the abovementioned, the Order was registered by the Ministry of Justice of Ukraine in accordance with the internal procedures.</p>		
<p>010402 *</p>	<p>№1702/25/14-18 від 24.05.2018</p>	
		
<p>15:32</p>		

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Taking into account the above, I have the honor to inform you that Ukraine has complied fully with the requirements on adopting the Quality Charter.

Please also find attached an official report on the implementation of the Quality Charter by Ukraine.

Let me avail myself of this opportunity to renew to the International Transport Forum and to you personally, the assurances of my highest consideration and express hope for a further fruitful cooperation on global transport policy issues.

Attachment (only to addressee): on 22.

Sincerely

Acting Minister

A handwritten signature in black ink, appearing to read 'Yuri Lavrenyuk', with a large, stylized flourish at the end.

Yurii Lavrenyuk