



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

ITF/TMB/TR(2016)3/ADD23/FINAL
For Official Use

Group on Road Transport

Report by FYR of MACEDONIA on implementation of the QUALITY CHARTER

The application of FYR of Macedonia was approved under Agenda Item 3.2 of the meeting of the Group on Road Transport held on 22-23 October 2018 in Dublin, Ireland.

This report is supplemented by the following Appendices

- *ITF/TMB/TR(2016)3/ADD23/APP2/REV: Implementation of CPC Manager and CPC Driver*
- *ITF/TMB/TR(2016)3/ADD23/APP3: Rulebook on the criteria, manner of operation of the driving schools (...) & Rulebook on the knowledge examination programme for a driver candidate*
- *ITF/TMB/TR(2016)3/ADD23/APP4: Rulebooks amending the Law on Road Transport as regards driver & manager CPC, training centres and examination procedures*
- *ITF/TMB/TR(2016)3/ADD23/APP5 : Law on Road Traffic Safety*

JT03443039

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.



Government of the Republic of Macedonia
Ministry of Transport and Communications



Ministry of Transport
and Communications

MACEDONIA IN MOTION

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TO: Mr. Young Tae Kim, Secretary-General
INTERNATIONAL TRANSPORT FORUM
OECD/ITF
2 rue Andre Pascal,
75016 Paris, France

Our ref. no.: 02- 1058711
12.10.2018

Dear Mr. Kim

Let me, first of all, express our highest respect and appreciation of the achievement of the common goals within the International Transport Forum.

On this occasion, we would like to inform you that the Republic of Macedonia has fully harmonized its national legislation with the provisions of the Quality Charter.

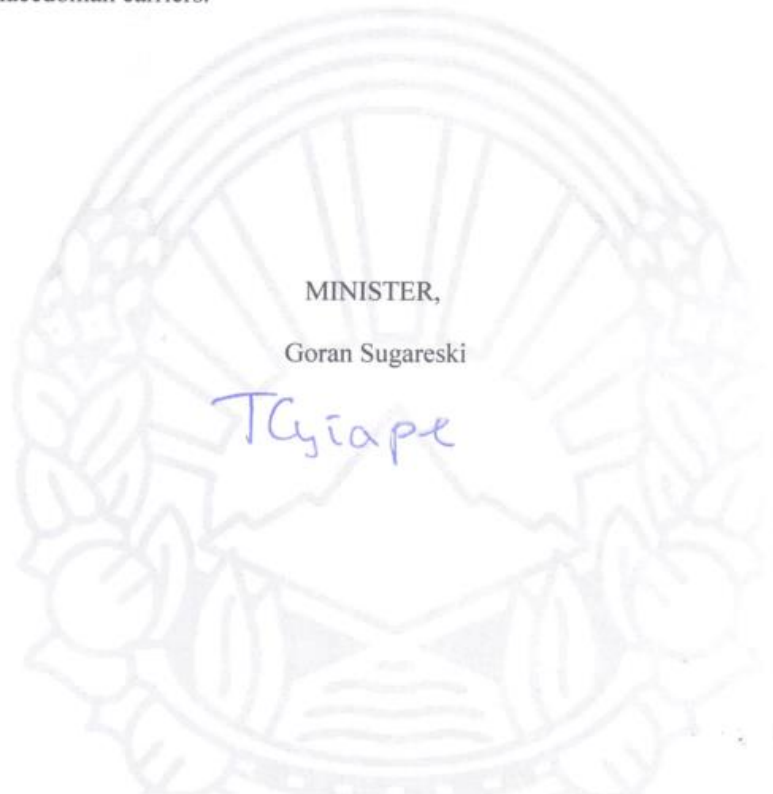
The Report on implementation of the provisions of the Quality Charter, which we send to you as attachment, presents in details the legal provisions and procedures adopted and entered into force, and prove that the criteria set by the Quality Charter have been met by Macedonian carriers.

Sincerely yours,

MINISTER,

Goran Sugareski

Тугиаре



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

COUNTRY: FYR of MACEDONIA

NATIONAL AUTHORITY: MINISTRY OF TRANSPORT AND COMMUNICATIONS

DATE OF SUBMISSION: 18 October 2018

SUMMARY OF MAIN POINTS OF COMPLIANCE OF NATIONAL REGULATIONS/LAWS OF THE FYR MACEDONIA WITH THE PROVISIONS OF THE QUALITY CHARTER

The procedure for adoption of the Amendments to the Law on Transport in Road Traffic and the Law on Working Hours of Mobile Workers and Devices for Registration in the Road Traffic has been completed and they have been published in the Official Gazette of the Republic of Macedonia on 30 July 2018 and entered into force on August 8th.

With the adoption of legal regulations national legislation is fully compliant with the provisions of the Quality Charter.

These amendments and consolidated text of the Law on Transport in Road Traffic, as well as the by-laws may be consulted on the website of the Ministry and transport and communications at <http://www.mtc.gov.mk/quality-charter>

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

- **Market access/conditions of establishment** - Fully harmonized through Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).
- **Financial standing** - Fully harmonized through Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).
- **Good repute** - Fully harmonized through Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).
- **Professional competence** - Fully harmonized through Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).

SECTION 2. PROVISIONS REGARDING THE DRIVERS (Chapter III of the Charter)

1) Driving times and rest periods (Chapter III, 1)

The Republic of Macedonia is a signatory to the AETR Agreement. When performing the transport on the basis of an ECMT license, the carrier and the employees must comply with the provisions of the AETR Agreement concerning the time of vehicle management, rest of working hours, breaks, etc.

2) Driver training (Chapter III, 2)

Fully harmonized through Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).

3) *Conditions of employment (Chapter III, 3)*

Fully harmonized through Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).

**SECTION 3. PROVISIONS REGARDING CHECKS AND PENALTIES
(Chapter IV of the Charter)**

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

Fully harmonized through Law on the working hours of mobile workers in road traffic and devices for enrolment in road traffic (“Official Gazette of Republic of Macedonia” No. 140/18).

2) *Checks (Chapter IV, 2)*

Fully harmonized through Law on the working hours of mobile workers in road traffic and devices for enrolment in road traffic (“Official Gazette of Republic of Macedonia” No. 140/18).

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

Fully harmonized through Law on the working hours of mobile workers in road traffic and devices for enrolment in road traffic (“Official Gazette of Republic of Macedonia” No. 140/18).

4) *Penalties (Chapter IV, 4)*

Fully harmonized through Law on the working hours of mobile workers in road traffic and devices for enrolment in road traffic (“Official Gazette of Republic of Macedonia” No. 140/18).

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 Corresponding National Provision: <p style="text-align: center;">- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 item 1</p> <p>"A license referred to in Article 7 paragraph 1 of this Law may be obtained by a domestic legal entity or natural person - a sole proprietor (hereinafter referred to as: a carrier), if it meets the following requirements:</p> <p>1. to be registered in the Central Registry with a registered office in the territory of the Republic of Macedonia and has registered a priority activity / main income code performing carriage of passengers or goods by road transport;</p> <input type="checkbox"/> Useful Links: www.mtc.gov.mk
Article 2.2.b)	<input checked="" type="checkbox"/> Fully Corresponding National Provision: <p style="text-align: center;">- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 item 2</p> <p>2. for each individual type of license referred to in Article 7 Paragraph 1 and 2 to be owner of one or more registered vehicles for transport or has a financial lease agreement, which meets the specific technical and operational requirements prescribed for vehicles performing separate types of transport in the domestic and/or international passenger transport, for inter-municipal regular bus service of passengers to be owner, or to have a financial leasing agreement for at least two vehicles with a capacity of at least 18 seats per vehicle not including the driver's seat, for an international regular bus service of passengers to have a financial lease agreement for at least two vehicles with a capacity of at least 22 seats per vehicle not including the driver's seat, for municipal bus service of passengers to be owner of two or more registered vehicles or has a financial leasing agreement for vehicles with at least eight seats not including the driver's seat, for regular bus service of passenger in the city of Skopje to be owner of one or more registered vehicles or to have a financial leasing agreement for vehicles with at least eight seats not including the driver's seat, for occasional transport and a special regular bus service of passenger to be the owner or has a financial lease agreement for at least one vehicle with a capacity of at least eight seats</p>

	<p>per vehicle not including the driver's seat, the international occasional transport of passengers to be the owner or has a financial lease agreement for at least one vehicle with a capacity of at least nine seats per vehicle not including the driver's seat, for transport of passengers for personal needs in the domestic and international passenger transport, to be the owner or has a financial leasing agreement for at least one vehicle with a capacity of at least eight seats per vehicle not including the driver's seat, which fulfil the special technical and operational requirements prescribed for performing separate types of transport;</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 2.2.c)	<p><input checked="" type="checkbox"/> Fully <input type="checkbox"/> Partially <input type="checkbox"/> not Implemented</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 paragraph 18</p> <p>Rulebook on the form and content of the application form for obtaining a license, the method for obtaining, that is revoking the license or the excerpt of the license.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>

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

Provision of the Charter:	-
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Any other comments:	<p>In accordance with the national legislation, the registration of the companies is performed by the Central Registry of the Republic of Macedonia in accordance with the provisions of the Law on Trade Companies. When registering a company, it must indicate the premises or address that will be the seat of the legal entity. For the registration of the legal entity done in the register of companies, the Central Registry issues "Current situation" which lists all data referring to the legal entity: Full name, abbreviated name, address, that is seat, manager, owner, organizational form, income code, etc. All these data are included in the records of transport companies kept in the Ministry of transport and communications.</p> <p>When submitting a request for obtaining a license, the transport companies for each separate type of license shall submit a copy from at least one vehicle license verified by a notary. The vehicles must be owned by the transport company or taken on lease.</p> <p>In the Rulebook on the form and content of the application form for obtaining a license, the method of obtaining or revoking the license, that is the excerpt of the license that we will adopt after the amendments to the Law on Road Transport shall enter into force, a provision shall be provided which gives instructions to the transport company to carry out all activities in an effective way.</p>
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B) Good Repute (Chapter II, 3)**Implemented**

Article 3.1.	<input checked="" type="checkbox"/> Fully Corresponding National Provision: - Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18). Article 8 item 8 8. Have a good reputation; <input type="checkbox"/> Useful Links: www.mtc.gov.mk
Article 3.2., incl: - points a) to e); - list of most serious infringements: point d), items i - vii;	<input checked="" type="checkbox"/> Fully Corresponding National Provision: - Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18). Article 8-d Good reputation in accordance with this Law has to have the legal entity and the responsible person in the legal entity that is a natural person who wants to carry out transport in by road. Good reputation in accordance with this Law do not have the legal or natural persons and the responsible person in the legal entity, if the following is pronounced against it: <ul style="list-style-type: none"> - effective court verdict for criminal act against property, economy, public finances, employment and social security, general safety of people, trafficking in human beings or drugs and in the field of public transport safety with imprisonment of one to ten years; and - imposed a misdemeanour security measure - a ban on performing a profession, activity or duty with a penalty of one to ten years, during the execution of the sentence. Good reputation in accordance with this Law do not have the legal or natural persons: <ul style="list-style-type: none"> - sole proprietor and the responsible person in the legal entity if in two consecutive years if more than two times misdemeanour sanctions for many serious infringements have been imposed in the area of: - working hours, driving time, obligatory rest times of the mobile workers in road transport and handling the devices for recording in the road transport; - endangering the safety of the traffic on the roads by failure to comply with the maximum permissible weight, the axle load or the dimensions of the vehicle alone or together with the goods; and

	<p>- failure to meet the prescribed technical and operational conditions as a condition for providing passengers or goods services for in the road transport.</p> <p>The legal entity or natural person shall gain good reputation again when the legal consequences of a final court verdict cease.</p> <p>A new registered legal entity is a legal entity registered in the Central Registry of the Republic of Macedonia for no more than six months and it is not obliged to prove the obligation for a good reputation.</p> <p>Article 86 from the Law on Road Transport provides the basis for adoption of a bylaw:</p> <p>"The categorization of the infringements according to the degree of seriousness is prescribed by the Minister of Transport and Communications"</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 3.3.	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 Item 8 and Article 8-d.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>

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

Provision of the Charter:	-
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Any other comments:	<p>As one of the requirements for obtaining a license of an appropriate type, in addition to the other documents, transport companies submit four certificates that they have not been penalized for a criminal act or misdemeanour. Two certificates are for the manager of the transport company and two for the transport company. It is considered that the manager of the transport company and the transport company have a good reputation if no effective verdicts or misdemeanour sanctions for the offenses are pronounced for acts as determined in Article 8-d.</p>
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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><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 Item 6</p> <p>6. the manager or by him the authorized person responsible for transport has to have obtained a certificate of professional competence for a person responsible for transport (hereinafter called: CPC of the responsible person);</p> <p>- Rulebook on the manner, procedure and program for taking the exam for obtaining the CPC of the person responsible for transport, the form and content of the application for passing the exam, the minutes for the past exam and the certificate.</p> <p>Article 9</p> <p>The program for taking the exam for obtaining a certificate of professional competence of the manager or by him the authorized person responsible for transport covers the following thematic areas:</p> <ol style="list-style-type: none"> 1. contracts for transport by road; 2. organization of the undertakings; 3. labour relations; 4. taxes, fees and charges; 5. financial operations; 6. technical standards of the transport operations, and 7. road traffic safety. <p>The program referred to in paragraph 1 of this Article is given in Annex 1 which is an integral part of this Rulebook.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</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><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-a</p> <p>The certificate referred to in Article 8 paragraph 1 item 6 of this Law shall be issued by the Ministry of Transport and Communications on the basis of the Minutes for passed professional competence examination.</p>

<p>- pre-training (4.3.c)</p>	<p>The exam for obtaining the certificate referred to in paragraph 1 of this Article shall be taken before a Commission for taking the exam for professional competence (hereinafter called: the Commission) established by the Minister of Transport and Communications.</p> <p>The Commission referred to in paragraph 2 of this Article shall consist of five members of whom three members shall be from the Ministry of Transport and Communications and two members from different types of association of the transport operators.</p> <p>The exam is taken in an exam session which is scheduled to take place every month.</p> <p>Members of the commission receive compensation for their work..</p> <p>Compensation is paid for taking the professional competency exam.</p> <p>The amount of the fee should be within the expenses incurred for: training, literature, supplies, and expenses for the examination committee, etc. The cost book shall be determined by the legal entity referred to in paragraph 2 of this Article upon prior consent obtained from the Minister of Transport and Communications.</p> <p>The Ministry of Transport and Communications keeps records of the persons who have passed the exam for obtaining a certificate of professional competence.</p> <p>The manner, procedure and program for taking the exam for obtaining the CPC of the person responsible for transport, the form and content of the application for taking an exam, the minutes for the passed exam and of the certificate shall be prescribed by the Minister of Transport and Communications.</p> <p>Article 8-e</p> <p>The professional training of the candidates for obtaining a CPC by a responsible person referred to in Article 8 paragraph 1 item 6 of this Law shall be performed by a legal entity authorized by the Minister of Transport and Communications that has available:</p> <ul style="list-style-type: none"> - a minimum 30 m² of space equipped for training to be organized, - information technology and other record keeping equipment, and - at least three persons legally employed with full-time employment with higher education (faculty of economics, law faculty or one of the technical faculties) with at least three years of work experience in the field of road transport who possess a certificate for trainers for professional competence issued by the Ministry of transport and communications, after a previously passed exam for professional competence trainers based on a program. <p>The legal entity referred to in paragraph 2 of this Article shall submit to the Minister of Transport and Communications a training manual prepared in accordance with a prescribed program in order to get his consent,</p> <p>Persons who have at least ten years of working experience in the field of transport as a manager or authorized person responsible for transportation and have higher education, are exempt from taking the exam for obtaining a CPC for a responsible person. The Ministry of Transport and Communications issues CPC to a responsible person on the basis of a submitted request together with evidence for fulfilment of the prescribed</p>
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	<p>conditions from this paragraph.</p> <p>In case of damaged, lost or stolen CPC of a responsible person, the holder is obliged to announce it as void in the Official Gazette of the Republic of Macedonia and notify the Ministry of Transport and Communications thereof, and he is obliged together with the request, the application for announcement, also to submit a hand-written statement with accurate information about the circumstances under which the CPC of the responsible person in the undertaking is damaged, lost or stolen. The Ministry of Transport and Communications shall issue a new certificate to him.</p> <p>Detailed conditions that should be fulfilled by the legal entities referred to in paragraph 1 of this Article and the procedure for conducting the training, the form and the content of the certificate for the completed training shall be prescribed by the Minister of Transport and Communications.</p> <p>Article 8-g</p> <p>Database of questions shall be prepared by the authorized legal entities referred to in Articles 8-d paragraph 2 and 8-h paragraph 3 and 5 of this Law.</p> <p>Questions for the exam are verified by the Ministry of Transport and Communications for which a Commission for verification is formed, composed of members from the Ministry of Transport and Communications (hereinafter called: the Commission). The Commission reviews and updates the questions at least twice a year, and the Commission decides for at least 30% of the questions to be amended or completely removed from the databases referred to in paragraph 1 of this Article.</p> <p>Passing the exams is done by answering a number of questions in the form of deciding on an electronic test on a computer.</p> <p>The questions contained in the exam test and its answers are kept in the sole electronic examination system.</p> <p>The electronic system also contains a publicly accessible database of at least 500 questions of the field.</p> <p>The results of the exam are available to the candidate on the computer where the exam took place immediately after its completion.</p> <p>On the day of taking the exam, the applicant is given an access code, that is, a password that gives him access to the electronic system.</p> <p>After approving the access, the candidate receives an electronic test for the exam.</p> <p>In the event of a failure to carry out the exam, due to reasons leading to technical inability to operate the electronic system, the taking of the exam shall be interrupted.</p> <p>If the reasons referred to in paragraph 9 of this Article are removed within 60 minutes of the interruption of the exam, the same shall continue immediately after their removal.</p> <p>If the reasons referred to in paragraph 9 of this Article are not removed within the time limit referred to in paragraph 10 of this Article, the exam</p>
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	<p>shall be rescheduled for another time period.</p> <p>A candidate is not allowed during the examination to contact other candidates or persons other than the IT technician in the event of a technical problem with the computer. A candidate is not allowed during the examination to use laws, by-laws or other written materials, mobile phone or other portable computer devices and other technical and informational means, pre-prepared objects or alike.</p> <p>If the technical problems with the computer are removed within five minutes, the exam continues, and if they are not removed within this deadline, the exam is interrupted only for that candidate and will be held within a maximum of three days from the day of termination of the exam.</p> <p>If there are problems with more than five computers and they are not removed within five minutes, the exam is interrupted for all applicants who take the exam and will be held within a maximum of three days from the day of termination of the exam.</p> <p>If the candidate acts in the course of taking the exam contrary to paragraph 12 of this Article, he will not be allowed further to take the exam at that exam session and shall be imposed a ban to take the exam for a period of three years, and for that the Ministry of Transport and Communications shall adopt a decision against which an administrative dispute may be initiated before a competent court within 30 days from the day of receipt of the decision.</p> <p>In the cases referred to in paragraph 15 of this Article, the candidate shall be deemed not to have passed the exam and it shall be recorded in the minutes for taking the exam.</p> <p>At the request of the candidate, the Ministry informs him of the mistakes made in the test for taking the exam, providing immediate insight into the test.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</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>- Ministry of Transport and Communications [see the attached model]</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-a</p> <p>-Rulebook on the manner, procedure and program for taking the exam for obtaining the SPC of the person responsible for transportation, the form and content of the application for passing the exam, the minutes for the past exam and the certificate .</p> <p>- Name of the IRU accredited institution, authorised nationally: SIZ Makedonija soobrakaj AMERIT is accredited body by IRU Academy from December 2012. [please see the attached model]</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>

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

Provision of the Charter:	-
Any other comments:	<p>The training procedure for candidates for professional competence for manager (CPC for manager) is carried out by training centres authorized by Ministry of transport and communications. For the first time Ministry of transport and communications started to issue approval to training centres since 2007, and the initial trainings of the candidates started in 2008. The criteria that should be met by the training centres are in compliance with the criteria set out in the Quality Charter. The certificate is issued by Ministry of transport and communications and it is without any validity period.</p> <p>The organization of the exam is under the competence of State Examination Centre, the exams are conducted electronically, at least once a month.</p> <p>As attachment, we submit a copy of the Certificate issued by MTC and a copy issued by SIZ Makedonija Soobrakaj AMERIT-Skopje.</p>

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><input checked="" type="checkbox"/> Fully</p> <p>- 9000 EUR in a denar counter value</p> <p>- 5000 EUR in a denar counter value.</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 Item 7</p> <p>7. have a sound financial position/standing;</p> <p>Article 8-c</p> <p>„Solid financial status/standing</p> <p>A solid financial status, in accordance with this Law, shall have the carrier with available capital and reserves of at least EUR 9,000 in denar counter value for the first vehicle and EUR 5,000 in denar counter value for each</p>
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	<p>subsequent vehicle.</p> <p>The financial status shall be proved by one of the following documents:</p> <ul style="list-style-type: none"> - Entered data on capital and reserves in the balance sheet for the previous year or - A guarantee issued by a bank or insurance company with a validity period identical to the validity period of the license or - Bank statement on deposited funds, deposited for a period which is appropriate to the period of the validity of the license, in the amount set out in paragraph 1 of this Article, as well as a guarantee of leased vehicles that are not fixed assets of the company. <p>The provisions of paragraph 2 indent 1 of this Article do not apply to a newly established company for the first year of establishment, that is, before the legally prescribed period for making the account of settlement.</p> <p>The carrier proving its financial status by means of registered data on the equity and reserves in the balance sheet for the previous year, within the period of validity of the license, shall within six months following the deadline for submitting the balance sheet at the competent authority, correct the state of the account “registered capital and reserves”, if there is a depreciation in value in terms of the value under paragraph 1 of this Article. “</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 5.3 & 5.4	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p style="text-align: center;">- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-c</p> <p>„Solid financial status</p> <p>A solid financial status, in accordance with this Law, shall have the carrier with available capital and reserves of at least EUR 9,000 in denar counter value for the first vehicle and EUR 5,000 in denar counter value for each subsequent vehicle.</p> <p>The financial status shall be proved by one of the following documents:</p> <ul style="list-style-type: none"> - Entered data on capital and reserves in the balance sheet for the previous year or - A guarantee issued by a bank or insurance company with a validity period identical to the validity period of the license or - Bank statement on deposited funds, deposited for a period which is appropriate to the period of the validity of the license, in the amount set out in paragraph 1 of this Article, as well as a guarantee of leased vehicles that are not fixed assets of the company. <p>The provisions of paragraph 2 indent 1 of this Article do not apply to a newly established company for the first year of establishment, that is, before the legally prescribed period for making the account of settlement.</p>

	<p>The carrier proving its financial status by means of registered data on the equity and reserves in the balance sheet for the previous year, within the period of validity of the license, shall within six months following the deadline for submitting the balance sheet at the competent authority, correct the state of the account “registered capital and reserves”, if there is a depreciation in value in terms of the value under paragraph 1 of this Article. “</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 5.5.	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p style="text-align: center;">- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-c</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>

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

Provision of the Charter:	-
Any other comments:	-

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: The Republic of Macedonia is a signatory to the AETR Agreement. When performing the transport on the basis of an ECMT license, the carrier and the employees must comply with the provisions of the AETR Agreement concerning the time of vehicle management, rest of working hours, breaks, etc.

B) Driver training (Chapter III, 2)

Implemented

Article 2.1:	<input checked="" type="checkbox"/> Fully Corresponding National Provision: <p style="text-align: center;">- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8 item 9</p> 9. in order to perform international transport of passengers and goods to have employed drivers who have CPC for drivers. <p>Article 8-h</p> "A person national of the Republic of Macedonia or a person from another country who has a working visa for performing a profession driver for a Macedonian carrier engaged in international transport of passengers or goods with the age of 18 or 21, depending on the prescribed age limits in accordance with the regulations on traffic safety, has to have CPC for driver". <p>In order to obtain CPC for driver, motor vehicle drivers must attend training for initial qualification or advanced initial qualification and periodic training if they drive vehicles that require:</p> <ul style="list-style-type: none"> - driver's license from the categories C1, C1E, C or CE, and - driver's license from the categories D1, D1E, D or DE. <input type="checkbox"/> Useful Links: www.mtc.gov.mk
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<p>Article 2.2.a) - Initial qualification , incl:</p> <p>- List of knowledge (cf.annex4)</p> <p>- Course + test, or, a test only</p> <p>- exemptions</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-b</p> <p>The certificate referred to in Article 8 paragraph 1 item 9 of this Law shall be issued by the Ministry of Transport and Communications on the basis of a copy of valid driving permit and minutes for the passed exam for participation of drivers in the international road transport.</p> <p>The certificate for professional competence of the driver for participation in the international transport of passengers and goods shall be prepared by a legal entity selected by the Ministry of Transport and Communications, and the expenses for the preparation of the certificate are borne by the applicant.</p> <p>The amount of the fee for preparation of the certificate shall be determined by the legal entity upon prior consent of the Minister of Transport and Communications.</p> <p>The certificate of professional competence of a driver for participation in the international transport of passengers and goods shall be issued with a validity period of five years and it shall be extended before the expiry of the validity period based on the minutes for passed exam for participation of drivers in international road transport.</p> <p>The exam for obtaining a certificate referred to in paragraph 1 of this Article shall be taken before a Commission for taking an exam for a certificate for professional competence of a driver for participation in international transport of passengers and goods (hereinafter: the Commission) established by the Minister of Transport and Communications.</p> <p>The Commission referred to in paragraph 5 of this Article shall consist of five members of whom three members shall be from the Ministry of Transport and Communications and two members from different types of association of the transport operators.</p> <p>The exam for obtaining the certificate referred to in paragraph 1 shall be taken in a test session conducted every month.</p> <p>Members of the commission receive compensation for their work.</p> <p>Candidates pay fee for taking the exam.</p> <p>The amount of the fee should be within the framework of the incurred training costs: literature, supplies, expenses for the examination commission and other matters. The cost book shall be determined by the legal entity referred to in paragraph 2 of this Article upon prior consent of the Minister of Transport and Communications.</p> <p>The Ministry of Transport and Communications keeps a record of the</p>
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<p>persons who have passed the exam for obtaining a certificate of professional competence for driver for participation in international transport of passengers and goods.</p> <p>The manner, procedure and program for taking the exam for obtaining a CPC for driver, form and content of the application for taking an exam, the minutes for the past exam and the certificate shall be prescribed by the Minister of Transport and Communications</p> <p>Article 8-h</p> <p>A person national of the Republic of Macedonia or a person from another country who has a working visa for performing a profession driver for a Macedonian carrier engaged in international transport of passengers or goods with 18 or 21 years of age, depending on the prescribed age limits in accordance with the regulations on traffic safety, has to have a CPC for driver.</p> <p>In order to obtain CPC for driver, motor vehicle drivers must attend initial qualification training or advanced initial qualification and periodic training if they drive vehicles that require:</p> <ul style="list-style-type: none"> - driver's permit from the categories C1, C1E, C or CE, and - driver's license from the categories D1, D1E, D or DE. <p>The initial qualification consists of theoretical and practical training in authorized training centres lasting 280 hours (140 hours for an advanced initial qualification) and an examination to test the acquired knowledge.</p> <p>CPC for driver is issued with a validity period of five years and it is extended no later than 45 days before the validity period expires, based on the Minutes for passed exam from periodic training for professional training of a driver.</p> <p>Periodic training of a driver for participation in international road transport, which lasts 35 hours, is performed by a legal entity authorized by the Minister of Transport and Communications.</p> <p>The training referred to in paragraphs 3 and 5 of this Article shall be carried out by a legal entity authorized by the Minister of Transport and Communications that has available:</p> <ul style="list-style-type: none"> - a minimum of 30 m² of space equipped for participation in training, - an engaged vehicle for carrying out practical training, - information technology and record keeping equipment; and - a minimum of three persons employed regularly with full-time employment with a higher education (faculty of economic, law faculty, traffic or machine faculty), with at least three years of work experience in the field of road transport with possession of a certificate for trainers for participation of drivers in the international road transport issued by the Ministry of Transport and Communications after a previously passed exam for trainers based on a program. <p>The Ministry of Transport and Communications keeps records of the persons who have passed the exam for obtaining CPC for drivers and of persons who have already been issued CPC for driver for participation in international road transport.</p> <p>In case of damaged, lost or stolen CPC for driver for participation in the</p>
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	<p>international road transport, the holder is obliged to announce it as void in the Official Gazette of the Republic of Macedonia and inform the Ministry of Transport and Communications thereof, whereby he is obligated together with the request, the application for announcement, also to submit a hand-written statement with accurate information about the circumstances under which the CPC of the responsible person in the undertaking is damaged, lost or stolen. The Ministry of Transport and Communications shall issue a new CPC for driver for participation in the international road transport with the same validity period.</p> <p>Detailed conditions that should be fulfilled by the legal entities referred to in paragraph 1 of this Article and the procedure for conducting the training, the form and the content of the certificate for the completed training shall be prescribed by the Minister of Transport and Communications."</p> <ul style="list-style-type: none"> - Course + test - Exemptions: <p>Article 87</p> <p>Persons who, until 1 January 2016, have obtained a driver's permit for category C or C1, D or D1 have no obligation to attend initial qualification training.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
<p>Article 2.2.b) - Periodic training, incl:</p> <p>- List of knowledge (cf.annex4)</p> <p>- Number of hours (35)</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p style="text-align: center;">- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-b</p> <p>The certificate referred to in Article 8 paragraph 1 item 9 of this Law shall be issued by the Ministry of Transport and Communications on the basis of a copy of valid driving permit and minutes for passed exam for participation of drivers in the international road transport.</p> <p>The certificate for professional competence for driver for participation in international transport of passengers and goods shall be prepared by a legal entity selected by the Ministry of Transport and Communications, and the expenses for the preparation of the certificate are borne by the applicant.</p> <p>The amount of the fee for the preparation of the certificate shall be determined by the legal entity upon prior consent of the Minister of Transport and Communications.</p> <p>The certificate of professional competence for driver for participation in international transport of passengers and goods shall be issued with a validity period of five years and it shall be extended before the expiry of the validity period based on the minutes for the passed exam for participation of drivers in the international road transport.</p>

<p>The exam for obtaining a certificate referred to in paragraph 1 of this Article shall be taken before the Commission for passing the exam Certificate for Professional Competence for driver for participation in international transport of passengers and goods (hereinafter: the Commission) formed by the Minister of Transport and Communications.</p> <p>The Commission referred to in paragraph 3 of this Article shall consist of five members of whom three members shall be from the Ministry of Transport and Communications and two members from different types of association of the carriers.</p> <p>The exam for obtaining a certificate referred to in paragraph 1 shall be taken in a test session conducted every month.</p> <p>Members of the Commission receive compensation for their work.</p> <p>Candidates pay a fee for taking the exam.</p> <p>The amount of the fee should be within the expenses incurred for: training, literature, supplies, expenses for the examination Commission, etc. The cost book shall be determined by the legal entity referred to in paragraph 2 of this Article upon prior consent obtained from the Minister of Transport and Communications.</p> <p>The Ministry of Transport and Communications keeps records of the persons who have passed the exam for obtaining a certificate of professional competence for driver for participation in the international road transport..</p> <p>The manner, procedure and program for taking the exam for obtaining the CPC of the person responsible for transport, the form and content of the application for taking an exam, the minutes for the passed exam and of the certificate shall be prescribed by the Minister of Transport and Communications.</p> <p>Article 8-h</p> <p>A person national of the Republic of Macedonia or a person from another country who has a working visa for performing a profession driver for a Macedonian carrier engaged in international transport of passengers or goods with 18 or 21 years of age, depending on the prescribed age limits in accordance with the regulations on traffic safety, has to have a CPC for driver.</p> <p>In order to obtain CPC for driver, motor vehicle drivers must attend initial qualification training or advanced initial qualification and periodic training if they drive vehicles that require:</p> <ul style="list-style-type: none"> - driver's permit from the categories C1, C1E, C or CE, and - driver's license from the categories D1, D1E, D or DE. <p>The initial qualification consists of theoretical and practical training in authorized training centres lasting 280 hours (140 hours for an advanced initial qualification) and an examination to test the acquired knowledge.</p> <p>CPC for driver is issued with a validity period of five years and it is extended no later than 45 days before the validity period expires, based on the Minutes for passed exam from periodic training for professional training of a driver.</p> <p>Periodic training of a driver for participation in international road</p>

	<p>transport, which lasts 35 hours, is performed by a legal entity authorized by the Minister of Transport and Communications.</p> <p>The training referred to in paragraphs 3 and 5 of this Article shall be carried out by a legal entity authorized by the Minister of Transport and Communications that has available:</p> <ul style="list-style-type: none"> - a minimum of 30 m² of space equipped for participation in training, - an engaged vehicle for carrying out practical training, - information technology and record keeping equipment; and - a minimum of three persons employed regularly with full-time employment with a higher education (faculty of economic, law faculty, traffic or machine faculty), with at least three years of work experience in the field of road transport with possession of a certificate for trainers for participation of drivers in the international road transport issued by the Ministry of Transport and Communications after a previously passed exam for trainers based on a program. <p>The Ministry of Transport and Communications keeps records of the persons who have passed the exam for obtaining CPC for drivers and of persons who have already been issued CPC for driver for participation in international road transport.</p> <p>In case of damaged, lost or stolen CPC for driver for participation in the international road transport, the holder is obliged to announce it as void in the Official Gazette of the Republic of Macedonia and inform the Ministry of Transport and Communications thereof, whereby he is obligated together with the request, the application for announcement, also to submit a hand-written statement with accurate information about the circumstances under which the CPC is damaged, lost or stolen. The Ministry of Transport and Communications shall issue a new CPC for driver for participation in the international road transport with the same validity period.</p> <p>Detailed conditions that should be fulfilled by the legal entities referred to in paragraph 3 of this Article and the procedure for conducting the training, the form and the content of the certificate for the completed training shall be prescribed by the Minister of Transport and Communications."</p>
<p>- Periodicity (every 5 years)</p> <p>- first periodic training to be completed by [31 Dec 2019]</p>	<p>- Every 5 years.</p> <p>- SIZ Makedonia soobrakaj AMERIT-Skopje is a training centre that is accredited by IRU Academy. They perform periodical training to the candidates from December 2015.[CPC model attached]</p> <p><input type="checkbox"/> Useful Links www.mtc.gov.mk</p>
<p>Articles 2.3; 2.4 - approval of training centres</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <p>- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15,</p>

	<p>124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18)</p> <p>Article 8-h</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
<p>Article 2.6 - CPC proof, incl.:</p> <p>- Sign affixed on driver licence (permit)</p> <p>- Driver Qualification card (cf. annex 5)</p> <p>- IRU Academy CPC</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>- NA</p> <p>- Ministry of Transport and Communications [Model attached in annex 4]</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-b</p> <p>"The certificate for professional competence for driver for participation in international transport of passengers and goods shall be prepared by a legal entity selected by the Ministry of Transport and Communications, and the expenses for the preparation of the certificate shall be borne by the applicant.</p> <p>The amount of the fee for the preparation of the certificate shall be determined by the legal entity upon prior consent of the Minister of Transport and Communications.</p> <p>- Rulebook on the manner, procedure and program for taking the exam for obtaining a driver's license, form and content of the application for passing the exam, the minutes for the passed exam and the certificate. (“Official Gazette of Republic of Macedonia” No. 174/18).</p> <p>Article 9</p> <p>“The certificate is made on a multilayer polycarbonate card in rectangular shape with dimensions of 85.6 x 54 mm, thickness of 0.76 mm, consists of two sides in blue and has protective elements. The form and content of the certificate referred to in paragraph 1 of this Article are given in Annex 4 which is an integral part of this Rulebook.</p> <p>- IRU Academy CPC (SIZ Makedonja Soobrakaj AMERIT – Skopje). (CPC model attached)</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>

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

Provision of the Charter:	-
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<p>Any other comments:</p>	<p>Training procedure for candidates for professional competence for drivers (driver's permit) is carried out by training centres approved by Ministry of transport and communications. For the first time Ministry of transport and communications started with approval of training centres since 2007, and the initial trainings of the candidates started in 2008. The duration of the trainings was not regulated neither when obtaining a Certificate for the first time nor during its renewal. The criteria required by the training centres were not fully in compliance with the criteria set in the Quality Charter. The certificate is issued by MTC and it is valid for a period of 5 years.</p> <p>The adopted amendments to the Law on Road Transport provide the following:</p> <ol style="list-style-type: none"> 1. The criteria for approval of training centres are in compliance with those laid down in the Quality Charter. (possession of vehicle fleet and the necessary qualifications of the trainers are introduced) 2. Initial qualification training is introduced and it will last for 280 hours (advanced training lasts 140 hours). 3. A periodic training is introduced and it lasts 35 hours 4. A new form of CPC for driver is introduced, and it will look like the driver's permit. <p>The organization of the exam shall be under the competence of State Examination Centre, the exams are conducted electronically, at least once a month.</p> <p>In the Rulebook on the detailed conditions to be fulfilled by the authorized trained centres, the procedure for conducting the training and the form and content of the certificate for completed training, a provision is foreseen which provides for the training centre to guarantee and provide evidence that the trainers have knowledge of the national and international regulations in the field of road transport and at least three years of work experience in the field of road transport. It is required for the trainers to have knowledge of teaching methods and to have drivers experience for B category at least. Furthermore, every candidate who attends initial qualification training should have practical training which lasts 20 hours, driving a vehicle. Practical training covers a maximum eight hours of driving on a special terrain or a simulator. Advanced initial qualification training for professional competence for driver can also be carried out and it lasts 140 hours. Every candidate attending advanced initial qualification training should have practical training lasting ten hours of driving. Practical training covers maximum four of ten hours, driving on a special terrain or a simulator. Periodic training for professional competence for driver lasts 35 hours scheduled for a period of seven hours in one current year prior to the expiry of the validity period of the CPC for driver. It is carried out every five years. The training centre keeps a proper record for each part of the periodic training carried out for each candidate separately.</p> <p>SIZ Macedonia traffic AMERIT-Skopje is a trained centre that is accredited by the IRU Academy for the initial qualification from April 2012 and for periodical training from December 2015. Following the entry into force of the amendments to the law on road transport, MTC will start a procedure for authorizing training centres that fully meet the set criteria.</p> <p>Attached a copy of the Certificate issued by SIZ Macedonia Soobrakaj AMERIT-Skopje.</p>
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C) Conditions of employment (Chapter III, 3)**Implemented**

Article 3.1	<input checked="" type="checkbox"/> Fully Corresponding National Provision: - Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18). Article 8 item 3 and 9 3. to have full time employed drivers depending on the number of motor vehicles, at least one driver per vehicle (buses, freight vehicles) that meet the requirements prescribed by the road transport safety regulations; 9. for international transport of passengers and goods to employ drivers who have a certificate of professional competence of a driver for participation in the international transport of passengers and goods. <input type="checkbox"/> Useful Links: www.mtc.gov.mk
Any other comments:	-

<p>- CPC</p>	<p>Article 8-e paragraph 1 & 2</p> <p>"Professional training of the candidates for obtaining a CPC for a responsible person referred to in Article 8 paragraph 1 item 6 of this Law shall be carried out by a legal entity authorized by the Minister of Transport and Communications, that has:</p> <ul style="list-style-type: none"> - a minimum of 30 m² of space equipped for organization of the training, - information technology and other record keeping equipment; and - a minimum of three persons legally employed with full-time employment with a higher education (faculty of economic, law faculty, traffic or machine faculty), with at least three years of work experience in the field of road transport who possess a certificate for professional competence trainers issued by the Ministry of Transport and Communications, after a previously passed examination for professional competence trainers based on a program. <p>The legal entity referred to in paragraph 2 of this Article shall submit for the consent of the Minister of Transport and Communications a training manual prepared in accordance with the prescribed program.</p> <p>Article 8-h paragraph 6</p> <p>Training referred to in paragraphs 3 and 5 of this Article shall be carried out by a legal entity authorized by the Minister of Transport and Communications that has available:</p> <ul style="list-style-type: none"> - a minimum of 30 m² of space equipped for organization of the training, - an engaged vehicle for carrying out practical training, - information technology and record keeping equipment; and - a minimum of three persons employed in full-time employment with a higher education (faculty of economic, law faculty, traffic or machine faculty) with at least three years of work experience in the field of road transport holding a certificate for trainers for participation of drivers in international road transport issued from the Ministry of Transport and Communications after a previously passed examination for trainers based on a program. <p><input type="checkbox"/> Useful Links: www.mtc.gov.mkn</p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <p>- training/examinations</p> <p>- CPC</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provision:</p> <ul style="list-style-type: none"> - Law on the working hours of mobile workers in road transport and devices for recording in road transport ("Official Gazette of Republic of Macedonia" No. 140/18). <p>Article 45</p> <p>(1) Supervision over the implementation of this Law and the regulations adopted on the basis of this Law shall be carried out by the Ministry of Transport and Communications.</p>

(2) Inspection supervision over the work of the carriers on public roads is carried out by the State Inspectorate for Transport.

(3) Inspection supervision over the operation of carriers in the premises of the carriers is performed by the State Inspectorate for transport.

(4) Control over the work of carriers on public roads is carried out by the Ministry of Internal Affairs.

Article 50

(1) State Inspectors for road transport, uniformed police officers and the authorized inspectors of the municipality or the authorized inspectors for road transport of the City of Skopje shall organize and carry out the control of vehicles on the roads and in the premises of the carriers for all categories of transport for the purpose of correct and consistent enforcement of the provisions of this Law and the bylaws deriving from this Law.

(2) The control referred to in paragraph (1) of this Article shall be carried out every year and shall include a wide and representative number of drivers, carriers, legal entities and vehicles carrying out all types of transport covered by the provisions of this Law.

(3) For the carried out controls referred to in paragraph (1) of this Article, a report shall be drafted containing: number of drivers which have been controlled at public roads, number of controls in the premises of the carriers, number of controlled working days and number and type of reported violations of the regulations, together with a note that it is about the transport of passengers or goods.

(4) The control carried out over the work of mobile workers and the carriers should cover 3% of the total number of days of work of the driver to which this law applies in the carriage of passengers and goods, of which at least 30% is controlled on road, and 50% in the premises of the carrier.

(5) The surveillance authorities referred to in paragraph (1) of this Article shall keep records of the established infringements and the degree of their seriousness on a separate list of infringements for the degree of their seriousness, and these data shall be entered in a data base that is kept in electronic form in the Ministry of Transport and Communications and represents a risk analysis system.

(6) The data referred to in paragraph (5) of this Article shall be submitted to the Ministry of Transport and Communications in the form of summary reports covering a period of four months in paper or electronic form in accordance with the established procedures for communication ex officio. The Ministry of Transport and Communications shall exchange data collected from the performed controls for carriers that perform international transport by road with the competent supervisory authorities of other countries, and the obtained data for domestic carriers shall be recorded on the basis of paragraph (5) of this Article.

(7) The surveillance authorities shall be trained and equipped with equipment for carrying out surveillance on the road and in the premises of the carrier. The surveillance equipment includes equipment for:

a) Retrieving data from a digital tachograph and from a driver card, reading, analysing or downloading data into a central database for analysis;

b) check of tachograph tapes, and

c) Analysis with program support for checking and confirming the digital signature of electronic data, as well as analysis of the detailed speed profile of the moving vehicle.

(8) The supervisory authorities shall, at least six times a year, participate in carrying out joint surveillances of the road of the drivers and vehicles covered by this Law. Joint surveillance of the road is carried out at the same time by the supervision bodies of two or more states, each on its own territory.

(9) If, during the supervision of a road carried out for drivers of a vehicle registered in another country, there is a suspicion that an offense has been committed and cannot be determined during the supervision due to lack of data, the competent authorities of the countries concerned mutually help in clarifying the situation.

(10) Credible documents that provide an evidence of a committed infringement within the meaning of this Law are:

- a. tachograph tape,
- b. printed tape extract from a digital tachograph or driver card,
- c. data from a digital tachograph or from a driver card or from workshop card in electronic form.
- d. hand-written note on the back of the tachograph tape or the tape recorder of the digital tachograph or on a separate paper sheet for manual record,
- e. confirmation of the driver's activity,
- f. photo record of the vehicle, tachograph, device or handling tool, which shows the important traces of the infringement,
- g. certificate of the correctness of the tachograph, or information sticker,
- h. minutes of a supervision carried out on the basis of this Law,
- i. minutes of installation and repair of the tachograph,
- j. minutes of a check of the analog tachograph
- k. minutes of a digital tachograph,
- l. minutes of a tachograph control, and
- m. Confirmation of the inability to download data.

- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18),

Article 8-c

Article 8-h

Article 87

The inspection supervision over the application of the provisions of this Law and the regulations adopted on the basis of this Law that refer to the

inter-municipal, special regular bus service for transport of passengers between two or more municipalities and the international transport of passengers and the transport of goods in the national and international road transport is carried out by the State Transport Inspectorate, through state inspectors for road transport.

The inspection supervision over the implementation of the provisions of this Law and the regulations adopted on the basis of this Law that refer to the municipal passenger transport, car taxi transport of passengers and the special regular bus service of passenger transport carried out on the territory of the municipality shall be carried out by authorized inspectors for road transport of the municipality.

The inspection supervision over the implementation of the provisions of this Law and the regulations adopted on the basis of this Law that refer to municipal passenger transport, transport of passengers by taxi and the special regular bus service of passenger transport carried out on the territory of the City of Skopje shall be carried out by authorized inspectors for road transport of the City of Skopje.

The inspectors referred to in paragraphs 1, 2 and 3 of this Article carry out inspection supervision in accordance with the provisions of the Law on Prohibition and Prevention of Performing Unregistered Activity.

A person who meets the requirements provided for in this Law may be appointed as a state road transport inspector for the municipality and an authorized road transport inspector for the City of Skopje.

Article 87-a

Inspection supervision of a domestic/national carrier may be carried out at the carrier's registered office, other business premises of the carrier or during the transport carried out on the public roads, whereby the inspectors referred to in Article 87 of this Law have the right to stop and control the vehicle.

Inspection supervision of a foreign carrier shall be carried out, whereby the inspectors referred to in Article 87 of this Law have the right to stop and control the vehicle moving along the roads on the territory of the Republic of Macedonia, customs terminals, places where simplified customs procedures are carried out or at the border crossings at the entrance or exit from the Republic of Macedonia.

When carrying out the inspection supervision, the inspectors referred to in Article 87 of this Law use specially marked official vehicles.

In accordance with the provisions of paragraphs 1 and 2 of this Article, the driver who drives the vehicle carrying out the transport shall be obliged to stop at a place determined by the inspector by giving prescribed signs.

Control of the vehicle means control of the motor vehicle, the passengers and goods transported during the period of control and the overall transport documentation provided for by this Law and with international agreements and treaties.

When carrying the inspection supervision, the inspectors referred to in Article 87 of this Law may ask for assistance from the Ministry of

	<p>Interior and the Customs Administration of the Republic of Macedonia.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Articles 1.2.3- 1.2.4.	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>--Law on the working hours of mobile workers in the road transport and recording devices in the road transport (“Official Gazette of Republic of Macedonia” No. 140/18).</p> <p>Article 45 Article 50 paragraphs 8 и 9.</p> <p>8) The supervisory authorities shall, at least six times a year, participate in carrying out joint surveillance of the road of the drivers and vehicles covered by this Law. Joint surveillance of the road is carried out at the same time by the supervisory bodies of two or more states, each on its own territory.</p> <p>(9) If, during the surveillance of a road that is carried out for drivers of a vehicle registered in another country, there is a suspicion that an offense has been committed that cannot be determined during the supervision due to lack of data, the competent authorities of the countries concerned are offer mutual assistance in order to clarify the situation</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 1.2.5.	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 69-e</p> <p>The Ministry of Transport and Communications shall revoke the ECMT license with a decision taken, if:</p> <ul style="list-style-type: none"> - the validity period of the license of the carrier to carry out international transport of goods has expired or the license has been revoked with a decision taken, - the carrier fails to submit a report on the use of the ECMT license two consecutive times within the stipulated time period, and - a domestic carrier fails to use the license in accordance with rule 3.16 of the ECMT Guide on use, and with regard to Article 69-a paragraph 3 of this Law. <p>The carrier must return the ECMT license within eight days of the submission of the decision for revocation. If it fails to return the license within the prescribed deadline, no individual transport permits are distributed to the carrier, until the moment the license is returned.</p> <p>The transport operator whose license has been revoked has the right to submit again a request for participation in the distribution of ECMT</p>

	<p>licenses for the next year.</p> <p>The revoked license referred to in paragraph 1 of this Article shall be awarded to another carrier from the established list of carriers in the distribution of the licenses for the current year, that have left the most of the total points and available vehicles with an appropriate euro standard.</p> <p>Invalidated, void and ECMT licenses that are in use for foreign and domestic carrier shall also be checked through information published by the ECMT Secretariat on its website.</p> <p>Article 82</p> <p>The Ministry of Transport and Communications may issue a decision to revoke and cancel the licenses referred to in Article 25 paragraph 1 and Article 36 paragraph 2 if the transport operation is not carried out in accordance with the issued permit upon a proposal of the State Transport Inspectorate or a categorized bus station or from a competent authority of another country if the Republic of Macedonia has signed an Agreement in the field of road transport that has been ratified.</p> <p>The Ministry of Transport and Communications may issue a decision to revoke and cancel the licenses referred to in Article 66 paragraphs 2 and 3 and Article 70 paragraphs 1 and 3 of this Law, if the transport operation is not carried out in accordance with the issued permit upon a proposal of the State Transport Inspectorate or from a competent authority of another country if the Republic of Macedonia has signed an Agreement in the field of road transport and the ECMT Committee in Paris which are ratified.</p> <p>The transport permit referred to in Article 36, paragraph 2, Article 70, paragraphs 1 and 3 of this Law, issued to a foreign carrier may be revoked and cancelled if the competent authority in the country where the carrier is registered refuses to issue an appropriate permit to the Macedonian carrier and if the foreign carrier does not use the ECMT license in accordance with the ECMT Guide for use.</p> <p>By the decision referred to in paragraph 1 of this Article, the permit may be revoked and cancelled for a period of one to 12 months, while by the decision referred to in paragraph 2 of this Article, the permit may be permanently revoked on a bilateral basis, and the revoked ECMT license is returned within 30 days to the authority that issued the license.</p> <p>By the decision of the Ministry of Transport and Communications by which the permit for transport of passengers is revoked and cancelled the carrier is put out of force, all copies of permits for the subject regular bus service are revoked from the carrier.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 1.3	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p>

Article 13

The Ministry of Transport and Communications, or the municipality or the City of Skopje, shall be obliged to keep records in electronic form for the carriers and vehicles registered for the carriage of passengers or goods in the road transport, depending on the type of transport.

The records referred to in paragraph 1 of this Article may be kept as a central information base on the basis of data provided and used by the Ministry of Transport and Communications, the municipality or the City of Skopje, the Ministry of Finance, the Ministry of Interior, the Central Register of the Republic of Macedonia, the Customs Administration, the competent first instance court, the Pension and Disability Insurance Fund and the Employment Agency.

The records referred to in paragraph 1 of this Article shall be kept for carriers who are active and have a valid appropriate license and also for carriers that are inactive or do not have a valid license, and in accordance with Article 15, paragraph 3; the Ministry shall be obliged to keep the data on inactive carriers.

Article 14

The records referred to in Article 13 of this Law shall be divided into records on carriers carrying out international transport and records on carriers carrying out internal transport of passengers or goods.

The Ministry of Transport and Communications is obliged to collect, process, keep, mediate and use the data necessary for issuing permits for carrying out certain types of transport operations by road and registration of bus timetables, as well as data necessary for distribution of permits for transport of passengers or goods and the records of issued licenses for organization of transport operation and certificates for holders of a family agricultural economy.

The municipality, that is the City of Skopje, is obliged to collect, process, keep and use data necessary for issuing licenses for municipal regular bus service and for taxi transport of passengers, for taxi stations, bus turning areas and terminals.

The data necessary for keeping the records can also be collected from the records of the Ministry of Interior, the Central Register of the Republic of Macedonia, the Customs Administration, the Ministry of Finance, the competent first instance court and the Pension and Disability Insurance Fund, that is, the Employment Agency. When collecting data for the carrier from the existing data collections, the Ministry of Transport and Communications is not obliged to notify the carrier for which the data relate.

The bodies, organizations and individuals that have available data necessary for keeping the records are obliged to submit these data to the Ministry of Transport and Communications upon prior request.

The form, content and method of keeping the records referred to in paragraph 1 of this Article shall be prescribed by the Minister of Transport and Communications.

Useful Links: www.mtc.gov.mk

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

<p>Article 2.1. - checks re. Drivers , incl:</p> <p>- 2.1.1. Driving times and rest periods (cf. also. Annex 6):</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>- Law on the working hours of mobile workers in road transport and the devices for registration in the road transport (“Official Gazette of Republic of Macedonia” No. 140/18).</p> <p>Article 45 Article 50 Article 52</p> <p>(1) The control of public roads should be organized in different places at different time intervals, covering all categories of public roads in order to prevent avoidance at the places designated for control.</p> <p>(2) The legal entities and concessionaires managing the public roads in cooperation with the supervisory bodies shall be obliged to provide:</p> <ul style="list-style-type: none"> - appropriate place for checking the roads or in the vicinity of the road, and, if necessary, the service stations and other locations in order to safely collect the control data, and - Controls to be carried out in randomly selected locations, taking into account an equal geographical coverage. <p>(3) The public roads control referred to in paragraph (2) of this Article shall be carried out without discrimination, and the supervision bodies during the execution of the control shall be obliged in a non-discriminatory manner to determine and record the data for:</p> <ul style="list-style-type: none"> a) the State in which the vehicle is registered; b) the country in which the driver lives; c) the state of establishment of the legal entity owner of the vehicle; d) place / country of start and completion of the transport, and e) type of the tachograph (analog or digital). <p>(4) The inspection supervision on the road shall include at least the checks on:</p> <ul style="list-style-type: none"> 1) Daily and weekly time of driving the vehicle, break, daily and weekly rest time, driver's working time, documentation that has to be carried in a vehicle, that is, tachograph tapes, data on a driver's card and in the memory of the tachograph, that is, on the digital
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	<p>tachograph print tapes for the current day and the previous 28 days.</p> <p>2) Correctness of the tachograph, that is, existence of a device and tool for tachograph handling, tachograph tapes, print tapes or card of the driver which may lead to falsification, deletion or destruction of stored or recorded data, that is, leads to interference during exchange of data between the components of the tachograph or their alteration.</p> <p>3) Any exceeding of the speed limit of vehicles recorded on the tachograph, with a vehicle speed exceeding 90 km/ h for vehicles of H3 or 105 km/h for vehicles of the M3 type for the current day and for the previous 28 days;</p> <p>4) If possible, the current recorded speed registered on the tachograph for a maximum of 24 hours of previous use of the vehicle.</p> <p>(5) Minutes shall be prepared for a road traffic control and it is given to the driver, as a written evidence for the performed control.</p> <p>(6) When performing road traffic control, the mobile workers are from the state signatory to the AETR agreement, if there are actions of the mobile workers detected and sanctioned, then in the document by which a misdemeanour sanction is imposed, in addition to the provisions of this law, the provisions of the AETR agreement shall also be given, if any.</p> <p>Article 54</p> <p>(1) Controls in the premises of legal entities engaged in transport of passengers and goods should be planned in such a way that the rules for risk assessment referred to in Article 46 paragraph (5) of this Law are observed based on the previous controls carried out for the various types of transport operations in the premises of the carrier and especially if serious violations of the provisions of this Law have been established during the control carried out on the public roads.</p> <p>(2) The supervising authority shall be obliged, when control is carried out in the premises of the carrier, to take into account all information received from competent authorities from other countries for committed violations of the provisions of this Law, that is, provisions of the AETR agreement that refer to the controlled carrier or its drivers.</p> <p>(3) In addition to the controls referred to in Article 52 paragraph (4) of this Law, the controls in the carriers' premises shall also include the following controls:</p> <ol style="list-style-type: none"> a) weekly rest and driving time between weekly vacations; b) compliance with the limits imposed on driving a vehicle for a period of two consecutive weeks; c) working hours and rest from the working hours of mobile workers; d) tachograph tapes, manual record data, that is, print tapes of digital tachograph recording and driver card, and e) Issued certificates for the activity of the driver and other documents that determine the activities of the driver (tickets for a
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	<p>boat or train, sick leave, vacation, absence for personal reasons, other activities, etc.).</p> <p>(5) Minutes shall be prepared for the control carried out in the carrier's premises, which shall be given to the manager.</p> <p>- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18)</p> <p>Article 87-b</p> <p>An inspector may be a person who:</p> <ul style="list-style-type: none"> - is a national of the Republic of Macedonia, - is an adult, - has a general health capability, - he has not been sentenced with a final court verdict for prohibition of performing a profession, activity or duty, - has acquired at least 240 credits according to ECTS or completed VII/1 degree in the field of technical or legal sciences, proven by a certificate, - has five years of work experience in the field of traffic or law sciences, - meets the other requirements stipulated in the act on systematization of jobs, - possesses an internationally recognized certificate for working with computer programs for office work, one of the following: <ol style="list-style-type: none"> 1) Certiport: IC3 GS4 Key Applications - completed; 2) Microsoft: MOS Word or MOS Excel- completed or 3) ECDL: Core - completed, - has received a positive opinion of the suitability for the post by passing a psychological test and integrity test, in accordance with the regulations concerning civil servants, and - has a license for an inspector in the field of competence in the inspection service. <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
Article 2.2. - Checks re. Undertakings, incl:	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>- Law on Road Transport. ("Official Gazette of Republic of Macedonia" No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 9</p> <p>The license and excerpt of the license for each motor and towed vehicle which will be used to carry out transport operations referred to in Article 7 of this Law shall be issued by the Ministry of Transport and Communications, except the license and the excerpt of the license for municipal passenger transport and taxi transport of passengers that shall</p>

	<p>be issued by the mayor of the municipality, that is, the City of Skopje, the mayor of the City of Skopje."</p> <p>The carrier submits to the application for issuing an excerpt from a license the following:</p> <ul style="list-style-type: none"> - proof of ownership or financial leasing agreement for the vehicle, - certificate for fulfilment of the special technical and operational conditions prescribed for the vehicles for performing certain types of transport, - proof for employed drivers according to the number of motor vehicles, - for excerpt from a license for a taxi vehicle, a certificate for a correct built-in fiscal device – taximeter, and - for an excerpt from a license for carrying out international transport of passengers and goods proof of a solid financial standing and proof of possession of a sufficient number of drivers with valid CPC for driver. <p>The license, excerpt from a license for the carriage of passengers or goods and the license for the organization of carriage of goods shall be issued with a validity period of five years."</p> <p>The carrier shall be obliged to submit a request to the competent body for its renewal no later than 30 days before the expiration of the validity period of the license. The request shall be accompanied by all evidence by which the carrier will prove that he meets the minimum determined criteria for acquiring the appropriate type of license in accordance with Article 8 paragraph 1 of this Law."</p> <p>Data on the licenses and the extracts from the licenses for each motor and towed vehicle which will be used for transport operations referred to in Article 7 of this Law shall be entered in the electronic database kept by the Ministry of Transport and Communications.</p> <p>The municipalities, that is, the City of Skopje, are obliged to enter the data for issued licenses and excerpts from licenses for municipal passenger transport and taxi transport of passengers on a daily basis in the electronic database.</p> <p>Evidence and data on the fulfilment of the conditions referred to in paragraph 2 indents 1, 2, 3 and 5 of this Article shall be provided by the authorized official person from the Ministry of Transport and Communications who manages the procedure for issuing a license shall be obliged within three days from the day the receipt of the request to ask for the evidence from the competent public authority.</p> <p>The evidence and the data on the fulfilment of the requirements from paragraph 2 indents 1, 2, 3 and 4 of this Article shall be provided by the authorized official from the municipalities, that is, the City of Skopje as a competent body for issuing a license for municipal passenger transport and taxi transport of passengers who is obliged, within three days from the day of receipt of the request, to ask for the evidence from the competent public authority.</p> <p>The authorized official person of the competent public authority shall be obliged to submit the requested evidence referred to in paragraphs 7 and 8 of this Article within three days from the day of receipt of the request.</p>
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	<p>The authorized official person in the Ministry of Transport and Communications, the municipality, that is the City of Skopje, is obliged to decide on the application for a license within 30 days from the day of receipt of the request.</p> <p>If the carrier fails to fulfil the conditions for obtaining the license, the Ministry of Transport and Communications, that is, the Mayor of the municipality or the Mayor of the City of Skopje shall issue a decision rejecting the request.</p> <p>An appeal may be lodged against the decision of the Ministry of Transport and Communications by which the request for issuing a license is rejected, within a period of eight days from the day of receipt of the decision to the State Commission for decision-making in an administrative procedure and labour relations procedure in second instance.</p> <p>An appeal may be lodged against the decision of the Mayor of the municipality, that is, the Mayor of the City of Skopje by which the request for issuing a license is rejected, within a period of eight days from the day of receipt of the decision to the Ministry of Transport and Communications.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</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:	-
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Any other comments:	<p>In accordance with the Macedonian legislation, the carrier which has gained a license for the carriage of passengers or goods shall renew such license every 5 years. During the validity of the license the carrier shall continuously meet the qualifying criteria for the license and shall report each change regarding the criteria to the Ministry of Transport and Communications. In addition, the Ministry of Transport and Communications, once a year, following the processing of the annual bookkeeping accounts of companies, shall check the financial stability of the transport operators.</p>
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*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 checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>- Law on the working hours of mobile workers in the road transport and devices for registration in the road transport (“Official Gazette of Republic of Macedonia” No. 140/18).</p> <p>Article 46</p> <p>(1) The Ministry of Transport and Communications in charge of supervision of this Law and the AETR Agreement shall introduce a system for risk assessment for carriers based on the number and seriousness of the offenses committed by the carrier or its drivers, as well as on the basis of information on offenses obtained from other countries.</p> <p>(2) Criteria for determining the seriousness of the risk of a carrier, that is, mobile worker shall be:</p> <ul style="list-style-type: none"> - exceeding the maximum daily, weekly or two-week periods of driving; - failure to comply with the minimum daily or weekly rest period from working hours; - failure to comply with the minimum break; - failure to build-in an appropriate type of tachograph, improper use of the tachograph, driver card or special manual record sheets, and - Misuse or failure to produce the data required by the supervision bodies. <p>(3) The records on grading the system for risk assessment for carriers, in addition to other data, contain the name, surname, date and place of birth of mobile workers as data for a natural person.</p> <p>(4) Carriers who are assessed with a high degree of risk are controlled more often and in details. For the purpose of risk assessment, the categorization of the offence according to the degree of seriousness in accordance with this Law shall be used.</p> <p>(5) The offense according to the degree of seriousness may be: smaller, serious and very serious.</p> <p>(6) Categorization of the offenses according to the degree of seriousness and their frequency shall be prescribed by the Minister of Transport and Communications.</p> <p>- Rulebook on categorization of offenses according to the degree of seriousness and their frequency published in the Official Gazette of the Republic of Macedonia on 19 October 2018 and enters into force on October 20th.</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</p>
<p>Article 3.2. re. undertakings, incl:</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p>- Law on Road Transport. (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11,</p>

	<p>6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 8-d</p> <p><input type="checkbox"/> Useful Links: www.mtc.gov.mk</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:	-
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Any other comments:	<p>In the Law on the working hours of mobile workers in road transport and devices for registration in road transport and in the amendments to the Law on Road Transport the degree of risk to the transport undertakings is determined and the categorization of the offences to a minor, serious and very serious offences.</p> <p>In the Rulebook on categorization of offenses according to the degree of seriousness and their frequency, which is published in the Official Gazette of the Republic of Macedonia on 19 October 2018 and entered into force on October 20th, categorization of the offences is performed according to the degree of seriousness and their frequency. When determining the frequency of repeated serious and very serious offences, the supervisory authorities will take into account the following conditions:</p> <ul style="list-style-type: none"> - Seriousness of the offense (serious or very serious); - Period (at least one year from the date of control), and - Average number of drivers with the carrier in that year. <p>Having in mind the danger to road safety, the maximum frequency of offenses after which they are considered to be of higher seriousness are the following:</p> <ul style="list-style-type: none"> - 3 serious offenses / per driver / year = 1 very serious offense and - 3 very serious offences / per driver / year = initiation of a procedure for taking away a good reputation. <p>The average number of offenses per driver per year is the number obtained by dividing the total number of all offenses with the same degree of seriousness (serious or very serious) with the average number of drivers employed during the year.</p> <p>In this way, the maximum limit is established for determining the frequency of serious offenses above which offences are considered to be of higher seriousness.</p>
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D) Penalties (Chapter IV, 4)**Implemented**

Article 4.1.	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions</p> <p>- Law on the working hours of mobile workers in road transport and devices for registration in road transport (“Official Gazette of Republic of Macedonia” No. 140/18).</p> <p>Article 47</p> <p>(1) The inspection control of the implementation of the provisions of this Law and the provisions of the AETR Agreement on public roads on the territory of the Republic of Macedonia for foreign and domestic carriers shall be performed by the supervisory bodies:</p> <ul style="list-style-type: none"> - State Transport Inspectorate through state inspectors for road transport, and - uniformed police officers from the Ministry of Interior in charge of road safety control, and - the authorized inspector of the municipality or the authorized inspectors of the City of Skopje for road transport. <p>(2) State Road Transport Inspectors, uniformed police officers and authorized inspectors of the municipality or the authorized inspectors of the City of Skopje for road transport shall have the following authorizations:</p> <ul style="list-style-type: none"> - prohibit the use of a vehicle in which the damage or malfunction of the tachograph is not removed within seven days from the date of occurrence of the malfunction or the detection of the failure in the operation of the tachograph, or for as long as it takes the vehicle to return to the seat of the carrier; - prohibit the use of a vehicle with damaged tachographs and / or a driver's memory card in the event that the driver has not entered manually all data for driving periods of the vehicle, break, and rest periods are not observed or not correctly recorded in the tachograph or the driver's memory card, a tachograph tape, or a separate sheet for manual recording of data that is attached with a tachograph tape or a driver card, - in case of suspicion that the tachograph does not function properly or there is a suspicion of the use of unlawful additional devices or devices to obstruct the operation of the apparatus, to direct the vehicle to an extra tachograph inspection as well as all elements related to the tachograph which must be installed in the vehicle for the proper operation of the tachograph, and the costs for the inspection of the tachograph are borne by the owner of the vehicle in which the tachograph is built in case of proven irregularity, - ask the driver to enable control of the tachograph and to submit documents for inspection in accordance with Article 11, paragraphs (9) or (10), whereby the inspection body is obliged to
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	<p>enable the driver to have insight in the data from the control of the tachograph and the records of the same that are given for control.</p> <ul style="list-style-type: none"> - temporarily to take away the tape with the print from the tachograph, the tachograph tape from the analog tachograph, separate manual record sheet, driver activity certificate, driver's memory card as evidence in the procedure and for the same purpose to prepare a certificate for documents taken away. - temporary to take away the driver's memory card if it is found that the card is forged, or the driver uses another card or the card is obtained on the basis of false statements and / or forged documents and it is submitted to the authorized issuer of cards in the Republic of Macedonia with an explanation of the reasons for the temporary taken away card, - to exclude the vehicle from traffic until the cause of the offense is removed, that is, to force the driver to use the daily or weekly rest; and - propose to the competent authorities permanent or temporary taking away of the appropriate type of license for performing the activity or the driver's license, or inform the licensing authority in the Republic of Macedonia for further processing and exchange of information with the competent authority from another country for serious and very serious violations of the provisions of this law and AETR agreement. <p>(3) The supervisory authorities, in cases when they take out the tachograph installed in the vehicle by means of control, that is, the driver card, are obliged to issue minutes by specifying the exact date, hour and minute of the duration of their activity and to put a seal of the competent authority that controls it.</p> <p>(4) Notwithstanding paragraph (1) of this Article, the State Inspector of Transport shall also carry out control in the headquarters of a domestic carrier or of the supplied data remotely via an electronic communication system, by carrying out activities for checking compliance with the provisions of this Law for a period of 24 months from the period of records made and records of each driver separately for vehicle operation, period of breaks and compulsory rest time.</p> <p>(5) The supervisory authorities are authorized to determine the misdemeanour liability of drivers and carriers for violation of the provisions of this Law, that is, AETR agreement, which is stated in the control of the data on driver activity on the territory of the Republic of Macedonia, regardless of the country in which the offence is committed, if for that offense the driver or the carrier has not been previously sanctioned.</p> <p>Article 52</p> <p>(1) The control on the public roads should be organized in different places at different time intervals, covering all categories of public roads in order to prevent avoidance of the places designated for control.</p> <p>(2) The legal entities and concessionaires managing public roads in</p>
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	<p>cooperation with the supervisory bodies shall be obliged to provide:</p> <ul style="list-style-type: none"> - an appropriate place for checking the roads or in the vicinity of the road, and, if necessary, the service stations and other locations in order to safely collect the control data, and - controls to be carried out in random locations, taking into account an equal geographical coverage. <p>(3) Controls on the public roads referred to in paragraph (2) of this Article shall be carried out without discrimination, and the supervisory authorities during execution of the control shall be obliged in a non-discriminatory manner to determine and record the data for:</p> <ul style="list-style-type: none"> a) the State in which the vehicle is registered; b) the country in which the driver lives; c) the state where the legal entity, owner of the vehicle, is established; d) Place / country of start and completion of transport operation and e) Tachograph type (analogue or digital). <p>(4) The inspection of the route shall include at least checks on:</p> <ol style="list-style-type: none"> 1) Daily and weekly time of driving the vehicle, break, daily and weekly rest time, driver's working time, documentation to be carried in a vehicle, that is, tachograph tapes, data on a driver's card and in the memory of the tachograph, that is, digital tachograph print tapes for the current day and the previous 28 days. 2) The correctness of the tachograph, that is, the existence of a device and tool for tachograph handling, tachograph tapes, print tapes or driver's card which may lead to falsification, erasure or destruction of stored or recorded data, that is, leads to interference when exchanging data between the components of the tachograph or their alteration. <ol style="list-style-type: none"> 1) Any exceeding of the speed limit of vehicles recorded on the tachograph, with a vehicle speed exceeding 90 km/h for vehicles of H3 or 105 km/h for vehicles of the M3 type for the current day and for the previous 28 days; 2) If possible, the current recorded speed registered on the tachograph for a maximum of 24 hours of previous use of the vehicle. <p>(5) Minutes shall be prepared for the control of a road that is given to the driver, as a written evidence for the performed control.</p> <p>(6) When performing road transport control, the mobile workers are from the state signatory to the AETR agreement, the actions of the mobile workers in the act imposing the misdemeanour sanction are detected and sanctioned, in addition to the provisions of this law, the provisions of the AETR agreement are listed if any.</p>
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<p>Article 4.2. on drivers incl. infringements</p> <p>re: 4.2.1. AETR rules</p> <p>-4.2.2 driver training</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <p style="text-align: center;">- Law on the working hours of mobile workers in road transport and devices for registration in road transport (“Official Gazette of Republic of Macedonia” No. 140/18).</p> <p>Article 62</p> <p>(1) A fine in the amount of MKD 1000 in denars shall be imposed on the driver if:</p> <ul style="list-style-type: none"> - the driver does not keep accurate or adequate records while driving a vehicle that does not fall within the scope of this Law, other work, time of availability, rest and pause (Article 13, paragraphs 5 and 6); - the daily driving time of the vehicle by the driver is longer than the allowed period of more than 2 hours, (Article 13, paragraphs 1 and 4); - the weekly driving time of the vehicle by the driver is longer than 70 hours, (Article 13, paragraph 2); - the driver's driving time for a period of two consecutive weeks is longer than 112 hours and 30 minutes, (Article 13, paragraph 3); - the driver operated the vehicle without a break for more than 6 hours, (Article 14, paragraph 1); - the driver did not use full daily rest time within 24 hours after the end of the previous daily or weekly rest time, and the part of the rest time which is considered within the stated period of 24 hours is shorter than 8 hours and 30 minutes, (Article 15 paragraph 1); - the driver did not use the reduced daily rest period within 24 hours after the end of the previous daily or weekly rest, and the part of the holiday considered within the stated period of 24 hours is shorter than 7 hours, (Article 13, paragraph 2); - A driver member of a multi-crew of a vehicle did not use a daily rest within 30 hours after the end of the previous daily or weekly rest, and the part of the holiday that enters within 30 hours is shorter than 7 hours, (Article 15, paragraph 5); - the driver uses a shorter period for weekly rest, but not shorter than 36 hours, instead of using a full weekly rest (45 hours) (Article 15, paragraphs 6 and 7); - the driver, instead of using a short weekend break (minimum 24 hours), uses a shorter period for short weekly rest, but not shorter than 20 hours, (Article 15, paragraphs 6 and 7); - the driver has not started to use weekly rest after passing six 24-hour periods from the end of the previous weekly rest (Article 15, paragraphs 6 and 7); - for a period of two consecutive weeks, the driver did not use two full weekly rests or one full rest and one weekly rest period (Article 15, paragraphs 6 and 7); - by the end of the third week of using short weekly rest, the driver did
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	<p>not compensate the time difference until full weekly rest (Article 15, paragraph 8);</p> <ul style="list-style-type: none"> - a driver of a vehicle transporting passengers in the period of night driving, driving for more than three hours without interruption (Article 14, paragraph 2); - a driver of a vehicle that transports passengers after using 12 consecutive 24 hours driving periods fails to complement the weekly rest (Article 14, paragraph 7); - the driver does not use a tachograph tape in an analogue tachograph or a driver card in a digital tachograph from the moment of taking the vehicle (Article 22, paragraphs 1 and 2); - the driver does not keep the damaged tachograph ticket, damaged or defective driver card containing the recorded data, (Article 24, paragraph 1); - the driver fails to print a daily tape print of the tachograph in the vehicle at the beginning, that is, after he has finished driving the vehicle or fails to accurately record the data on the back of the tape in case if the driver card is damaged, or is defective, lost or stolen , (Article 24 paragraph 2); - when the tachograph is defective or is not able to be used, the driver did not accurately record the data on the back of the tachograph tape, on the back of the tape or on a separate sheet of paper manually keep records, that is, it does not correctly record all the activities that the tachograph does not record or print them in the correct manner, (Article 23, paragraph 7); - a tachograph or driver card is not authorized by the tachograph or are not in the tachograph when the driver is in the vehicle, that is, when performing other activities in relation to the vehicle or for the ongoing carriage without recording the actual data on the tachograph tape or driver card, (Article 22, paragraphs 1 and 2); - he uses tachograph tapes in the analogue tachograph longer than the period for which it is foreseen, resulting in loss of relevant data, i.e., it is impossible to read the data recorded by the tachograph (Article 23, paragraph 4); - failed to report loss or theft of a driver card to a competent authority in the country where the event occurred (Article 23, paragraph 7). <p>Article 63</p> <p>(1) A fine in the fixed amount of 500 Euros in denar counter value shall be imposed on a person-driver if:</p> <ul style="list-style-type: none"> - during the working hours of a mobile worker that lasts more than nine, and less than twelve hours, they have used a total rest period of less than 45 minutes, that is, if the mobile worker did not use the rest during his daily work before the end of working hours, (Article 7 paragraph 2); - during the working hours of a mobile worker lasting more than 12 hours, they have used a total rest period of less than 60 minutes, that is, if the mobile worker did not use the rest during the daily work before
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	<p>the end of the working hours (Article 7, paragraph 2) ;</p> <ul style="list-style-type: none"> - the daily driving time of the driver is longer than the allowed period of more than 1 hour, but not longer than 2 hours, (Article 13, paragraphs 1 and 4); - the weekly driving time of the driver is longer than 60 hours, but not longer than 70 hours, (Article 13, paragraph 2); - the driver's driving time for a period of two consecutive weeks is longer than 100 hours, but not longer than 112 hours and 30 minutes, (Article 13, paragraph 3); - the driver has driven the vehicle without a break for more than 5 hours, but not longer than 6 hours, (Article 14, paragraph 1); - the driver did not use a full day rest within 24 hours after the end of the previous daily or weekly rest, and the part of the rest time considered within the stated period of 24 hours is shorter than 9 hours, but not shorter than 8 hours and 30 minutes, (Article 13 paragraph 3); - the driver did not use short daily rest time within 24 hours after the end of the previous daily or weekly rest, and the part of the break considered within the stated period of 24 hours is shorter than 8 hours, but not shorter than 7 hours, (Article 15 paragraph 2); - a driver member of a multi-crew of a vehicle does not use a daily rest time within 30 hours after the end of the previous daily or weekly rest, and the part of the rest which enters within 30 hours is shorter than 8 hours but not shorter than 7 hours, (Article 15 paragraph 5); - the driver uses a short period for a weekly rest period of 42 hours, but not shorter than 36 hours, instead of using a full weekly rest (45 hours) (Article 15, paragraphs 6 and 7); - instead of using a short weekly rest period (minimum 24 hours) the driver uses a short weekly rest period of 22 hours, but not shorter than 20 hours, (Article 15, paragraphs 6 and 7); - the certificate for the activities of the driver has not been filled in, that is, not correctly filled in before the beginning of the carriage, (Article 17, paragraph 12); - in the vehicle in which an analogue tachograph is fitted, there is not sufficient number of tachograph strips, that is, tapes corresponding to the type of tachograph fitted in the vehicle (Article 23, paragraph 1); - has not submitted a request to the authorized body for issuing a new driver card for a period of 7 days from the date when it was damaged or is defective, lost or stolen (Article 23, paragraph 7); - has not filled in the tachograph tape or there is no a clear date of start with the operation of the vehicle, (Article 23, paragraph 1); - has not filled in the tachograph tape or there is no a clear date of completion of the operation of the vehicle, (Article 23, paragraph 1); - the tachograph tape is not fill in or there is no clear data for the starting and / or final data for the kilometres of the vehicle at the beginning, that is, when the vehicle stopped to work (Article 23, paragraph 1); - he did not put his signature completely with his general data on the back of the sheet of the digital tachograph printout in case the driver's card is
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	<p>damaged, defective or lost, that is, stolen (Article 24 paragraph 2);</p> <ul style="list-style-type: none"> - there is a case where the time shown on the analogue tachograph does not match the official time of the country in which the vehicle is registered, or the universal (UCT) time of the digital tachograph (Article 24, paragraph 6); - during the vehicle's driving time, the driver does not use breaks from driving the vehicle, (Article 14, paragraphs 1 and 3). <p>Article 64</p> <p>(1) A fine in the fixed amount of EUR 200 in denar counter value shall be imposed on a natural person-driver if:</p> <ul style="list-style-type: none"> - a mobile worker does not use rest after six hours of continuous work during the daily working hours, (Article 7, paragraph 1); - during the working hours of a mobile worker that lasts more than six hours and less than nine hours, they use a break that lasts less than 30 minutes, that is, if the mobile worker did not use the rest during the daily work before the end of the working hours, (article 7 paragraph 2); - the daily driving time of the driver is longer than the allowed, but not longer than 1 hour, (Article 13, paragraphs 1 and 4); - the weekly driving time of the driver is longer than the allowed, but not longer than 60 hours, (Article 13, paragraph 2); - the driving time of the driver's vehicle for a period of two consecutive weeks is longer than the allowed but not longer than 100 hours, (Article 13, paragraph 3); - the driver has driven the vehicle without a break longer than the time allowed, but not longer than 5 hours, (Article 14, paragraph 1); - the driver did not use a full day rest within 24 hours after the end of the previous daily or weekly rest period, and the part of the rest considered within the stated period of 24 hours is shorter than the allowed but not shorter than 10 hours, (Article 15, paragraph 1); - the driver did not use short daily rest within 24 hours after the end of the previous daily or weekly rest, and the part of the rest considered within the stated period of 24 hours is shorter than the allowed but not shorter than 8 hours, (Article 15 paragraph 2); - A driver member of a multi-crew of a vehicle does not use a daily rest period within 30 hours after the end of the previous daily or weekly rest, and the part of the rest time that enters within 30 hours is shorter than the allowed but not shorter than 8 hours, (Article 15 paragraph 5); - the driver instead to use full weekly rest period (45 hours) he uses a shorter period than the allowed, but not shorter than 42 hours (Article 15, paragraphs 6 and 7); - the driver instead to use short weekly rest period (minimum 24 hours) uses shorter period than the allowed but not shorter than 22 hours (Article 15, paragraphs 6 and 7); - the driver, in the course of vehicle driving time, uses shorter breaks from driving the vehicle (Article 14, paragraphs 1 and 3); - in the vehicle in which a digital tachograph is fitted, there are not
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	<p>enough tapes for taping, that is, tapes corresponding to the type of tachograph fitted in the vehicle (Article 23, paragraph 3);</p> <ul style="list-style-type: none"> - in the tachograph tape he has not filled in or written clearly the place of start or the place of completion of the work with the vehicle (Article 23, paragraph 1); - in the tachograph tape he has not filled in or has not filled in the official registration number of the vehicle using the tachograph tape, (Article 23, paragraph 1); - in the tachograph tape did not fill in or entered the time of changing the vehicle in which the tachograph tape was used, if he uses more vehicles in the same working day (Article 23, paragraph 1); - in the digital tachograph, he has not entered data on the country in which he started or ended the operation with the vehicle, (Article 24, paragraph 7). <p style="text-align: center;">- Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 86-a "The Ministry of Transport and Communications shall supervise the work of the legal entities referred to in Articles 5, 8-e, 8-h and 69 of this Law.</p> <p>If the Ministry of Transport and Communications determines in the supervision that the legal entity does not fulfil the prescribed conditions on the basis of which it has obtained the authorization to perform the activity or the candidates are not trained according to the prescribed program or the trainings are conducted by a person who does not have adequate education in accordance with this law for conducting the training or a person who does not have a certificate for training or if he / she has issued a certificate of completed training without previously attended training by the candidate or ECMT test certificate for readiness of freight motor vehicles and trailers for the traffic are issued in an examination place for which there is no authorization, the authorization obtained on the basis of Articles 5, 8-e, 8-h and 69 of this Law may be permanently revoked a decision. "</p> <p>Article 99-a paragraph 1 item 14</p> <p>fine in the amount of 500 Euros in denar counter value shall be imposed for a misdemeanour to a natural person-sole proprietor, legal entity, domestic or foreign carrier if:</p> <ol style="list-style-type: none"> 1) carries out public transport, transportation for own needs, free or special transport of passengers and taxi transport without a license and a license certificate (Article 4 paragraph 1 and Article 4-a); 2) carries out a taxi service contrary to the decision referred to in Article 10-a paragraph 2 of this Law; 3) carries out municipal regular bus service of passengers contrary to the conditions prescribed by the Council of the municipality or the Council of the City of Skopje (Article 22) 4) the holder of a family agricultural holding carries out transport for his
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	<p>own needs contrary to Article 9-a of this Law</p> <p>5) abuses a certificate of membership and a roll card contrary to Article 33 paragraph 4 of this Law;</p> <p>6) carries out transport of passengers in municipal special regular bus service of passengers, free transport of passengers with elements of regular bus service of passengers, inter-municipal and international road transport without a permit (Article 25 paragraph 1 Article 19 and Article 44 paragraph 1)</p> <p>7) carries a taxi service contrary to the conditions prescribed by the Council of the municipality or the Council of the City of Skopje (Article 54 paragraph 1);</p> <p>8) carries out transport of passengers contrary to Article 27-a of this Law;</p> <p>9) fails to enable the inspector for road transport to perform the inspection supervision and does not give him the necessary information and does not provide him with the necessary documentation;</p> <p>10) in the vehicle there is no or the validity period of the certificate for fulfilment of technical and operational conditions has not expired (Article 5 paragraph 3);</p> <p>11) In the vehicle there is no a certificate of conformity for the motor vehicle and attached vehicle (Article 5 paragraph 4, Article 70, paragraphs 7 and 8);</p> <p>12) The ECMT test certificate for readiness of the freight motor vehicles and the trailers has expired (Article 70 paragraph 8)</p> <p>13) does not possess a certificate for a self-taxi driver or a certificate for a taxi driver who owns it with expired date of validity.</p> <p>14) does not hold a CPC for driver or it has expired;</p> <p>15) the carrier, when performing a taxi service, acts contrary to Article 55, paragraph 5 of this Law, and</p> <p>16) the driver in the carriage of passengers or goods in the internal or international road transport in the vehicle does not have a travel order;.</p> <p>17) there is no individual transport permit or ECMT license or special green permit for performing international transport of goods in the vehicle (Article 70, paragraphs 1 and 3, Article 71, paragraphs 1 and 3, Article 79, paragraph 1, item 4);</p> <p>18) in the vehicle rented or leased there are no appropriate documents to prove it (Article 70 paragraph 10);</p> <p>19) owns a forged individual transport permit or crossed or with changed data or issued to another carrier or uses a forged or invalidated ECMT license or ECMT book log or certificate of conformity or an ECMT test certificate for readiness of the vehicles in the road transport (Article 70 paragraph 6 , 7 and 8) and</p> <p>20) for a group of vehicles on the road there is an international transport permit for a towed vehicle contrary to Article 70, paragraphs 4 and 5.</p> <p>For the offences referred to in paragraph 1 of this Article, the request for initiation of a misdemeanour procedure shall be submitted to the Ministry of Transport and Communications before the Commission for conducting</p>
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	<p>a misdemeanour procedure (hereinafter: the Commission).</p> <p>Apart from the fine referred to in paragraph 1 of this Article for the misdemeanour referred to in paragraph 1, items 1 and 6 of this Article, the vehicle used for the transport with which the misdemeanour is committed is temporarily seized with the assistance of the uniformed police officer at the moment of committing the misdemeanour for a period of six months to one year, and after the issuance of a decision for temporary seizure of the vehicle by the inspector for road transport.</p> <p>Except for the fine referred to in paragraph 1 of this Article for the misdemeanour referred to in paragraph 1, items 2 and 7 of this Article, the vehicle used for taxi transport by which the misdemeanour has been committed is temporarily seized with the assistance of the uniformed police officer at the moment of committing the misdemeanour for a period of six months to one year, and after issuing a decision for temporary seizure of the vehicle by the inspector for road transport.</p> <p>No appeal is allowed against the decision of the Road transport Inspector.</p> <p>An appeal for an administrative dispute may be filed against the decision of the road transport inspector within eight days of committing the infringement.</p> <p>The appeal in an administrative dispute does not delay the execution of the decision for temporary and permanent seizure of the vehicle delivered by the inspector for road transport.</p> <p>The costs incurred during the enforcement of the decision for temporary and permanent seizure of a vehicle until the expiration of the deadline for returning the vehicle shall be borne by the person who has made the infringement.</p> <p>For the infringements referred to in paragraph 1 of this Article, a foreign carrier is issued a misdemeanour payment order, the traffic license is temporarily seized and an additional measure is prohibited for movement of the vehicle on the territory of the Republic of Macedonia until the payment of the imposed fine is done. The inspector for road transport must inform the competent border services about the imposed additional measure of prohibition of movement of the respective vehicle in the territory of the Republic of Macedonia.</p>
<p>Article 4.3. on undertakings:</p> <p>-4.3.1.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions</p> <p>- Law on Road Transport (“Official Gazette of Republic of Macedonia” No. 68/04, 137/06, 114/09, 83/10, 140/10, 17/11, 53/11, 6/12, 23/13, 120/13, 163/13, 187/13, 42/14, 112/14, 166/14, 44/15, 97/15, 124/15, 129/15, 193/15, 37/16, 71/16, 64/18, 140/18 & 163/18).</p> <p>Article 69-a</p> <p>The Ministry of Transport and Communications will exclude from distribution of ECMT licenses in the next two years all carriers for which a final verdict has been reached that they have committed misuse of licenses.</p> <p>Misuse of an ECMT license referred to in paragraph 1 of this Article</p>

	<p>shall be considered to be if the carrier:</p> <ul style="list-style-type: none"> - made any changes in the data entered in the license or falsified a license, - did not use the license in accordance with its purpose or transferred it to another carrier, - failed to return the revoked ECMT license after the decision with which it was seized becomes effective. <p>The Ministry of Transport and Communications will exclude from distribution of ECMT licenses for one year the carrier for which more than three misdemeanour sanctions have been imposed for many serious violations by domestic or foreign supervisory authorities for improper use of the ECMT license.</p> <p>Article 69-e</p> <p>The Ministry of Transport and Communications shall revoke the ECMT license by a decision if:</p> <ul style="list-style-type: none"> - the period of validity of the license distributed to the carrier has expired for carrying out international transport of goods or with the decision the license has been revoked, - the carrier has failed to submit a report on the use of the ECMT license within the stipulated deadline for two times in a row - a domestic carrier does not use the permit in accordance with rule 3.16 of the ECMT Guide on the use, and in conjunction with Article 69-a paragraph 3 of this Law. <p>The carrier must return the ECMT license within eight days of submission of the decision for revocation. If the carrier fails to return it within the prescribed deadline, no individual transport permits are distributed until the moment the license is returned.</p> <p>The carrier whose license has been revoked has the right to re-submit a request for participation in the distribution of ECMT licenses for the following year.</p> <p>The revoked license referred to in paragraph 1 of this Article shall be awarded to another carrier on the established list of carriers in the distribution of the licenses for the current year, which have left the most points of the total points and have free vehicles with an appropriate euro standard.</p> <p>In case the carrier has destroyed, lost or stolen the license, it must be declared void by the carrier in the Official Gazette of the Republic of Macedonia. After submitting a written request and confirmation of publication of the ECMT license, the Ministry of Transport and Communications shall issue a new ECMT license from the reserve quota and inform the Secretariat of ECMT, the Customs Administration and the State Transport Inspectorate.</p> <p>Subrogated, void and ECMT licenses that are in use for a foreign and domestic carrier are also checked through information published by the ECMT Secretariat on its website.</p> <p>Article 82</p> <p>The Ministry of Transport and Communications may issue a decision for</p>
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revocation and removal of the licenses referred to in Article 25 paragraph 1 and Article 36 paragraph 2 if the carriage is not carried out in accordance with the issued permit upon proposal of the State Transport Inspectorate or a categorized bus station or from competent authority of another country with which the Republic of Macedonia has concluded an Agreement in the field of road transport that has been ratified.

The Ministry of Transport and Communications may issue a decision to revoke and put out of force the licenses referred to in Article 66, paragraphs 2 and 3 and Article 70, paragraphs 1 and 3 of this Law, if the carriage is not carried out in accordance with the issued permit upon proposal of the State Inspectorate for Transport or from a competent authority of another country the Republic of Macedonia has concluded an Agreement with in the field of road transport which is ratified and of the ECMT Committee in Paris.

The transport permit referred to in Article 36, paragraph 2, Article 70, paragraphs 1 and 3 of this Law, issued to a foreign carrier may be revoked and put out of force if the competent authority in the country where the carrier is registered refuses to issue an appropriate license for the Macedonian carrier and if the foreign carrier does not use the ECMT license in accordance with the ECMT instruction manual.

By the decision referred to in paragraph 1 of this Article, the license may be revoked and put out of force for a period of one to 12 months, while by the decision referred to in paragraph 2 of this Article, the license may be permanently withdrawn on a bilateral basis, and the revoked ECMT license within 30 days is returned to the authority that issued the license.

By the decision of the Ministry of Transport and Communications by which the license for transport of passengers is revoked and put out of force, all copies of permits for the subject bus service are seized.

Article 12

The competent authority for issuing a license shall adopt a decision for its permanent seizure if:

- the carrier has provided inaccurate data required for issuing the license and
- the carrier has applied for cancellation of the license.
- The competent authority for issuing the license shall issue a decision for temporary suspension of performing the activity if:
 - finds that the transport operation is carried out contrary to the license issued and
 - the carrier ceases to fulfil some of the conditions prescribed for issuance of licenses. The performance of the activity is temporarily suspended for a period of up to six months, that is, until the shortcomings are eliminated.

The carrier is obliged to immediately submit the license and the extracts from the license in the Ministry of Transport and Communications. A copy of the decision for temporary suspension of performance of the activity shall be submitted no later than three days from the day it was adopted to the State Transport Inspectorate, that is, the authorized inspector of the municipality or the authorized inspector of the City of Skopje, to the Customs Administration and to the competent border guards.

	<p>After the expiration of the period determined in the decision or removal of the deficiencies, the State Inspectorate for Transport, that is, the authorized inspector of the municipality or the authorized inspector of the City of Skopje, the Customs Administration and the competent border services, shall be informed and the license and the withdrawals shall be returned to the carrier of the license.</p> <p>A copy of the final decision by which the license is permanently revoked by indicating data for all issued license certificates for motor vehicles and for all attached vehicles shall be submitted to the State Transport Inspectorate or the authorized inspector of the municipality or the authorized inspector of the City of Skopje to the Customs administration and to the competent border services/authorities/.</p> <p>An appeal may be lodged against the decision issued by the Ministry of Transport and Communications within a period of eight days from the date of receipt of the decision to the State Commission for Decision-making in Administrative Procedure and Labour Relations Procedure in the second instance.</p> <p>An appeal may be lodged against the decision issued by the Mayor of the municipality or the Mayor of the City of Skopje within eight days from the day of receipt of the decision to the Ministry of Transport and Communications.</p> <p>The appeal does not postpone the decision.</p> <p>In case of a final decision for revocation of a license, the carrier shall be obliged to return all issued extracts from a license for motor vehicles and for each attached vehicle (trailer), within eight days at the latest.</p>
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Any other comments in relation to one or more provisions listed above:

Provisions of the Charter:	-
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РЕПУБЛИКА МАКЕДОНИЈА
МИНИСТЕРСТВО ЗА ТРАНСПОРТ И ВРСКИ

СЕРТИФИКАТ

ЗА ПРОФЕСИОНАЛНА КОМПЕТЕНТНОСТ ВО ПАТНИОТ СООБРАКАЈ

Број _____

(име, име на еден од родителите, презиме)

(датум и место на раѓање)

(адреса)

Датум на издавање _____

М.П.

Министер за транспорт и врски _____

Annex 1bis. CPC manager issued by IRU Academy SIZ accredited training institution Makedonija soobrakaj AMERIT



iru.org/academy

CPC MANAGER DIPLOMA

Awarded on 22 December 2017 to
Marjan NIKOLOVSKI
Born in Skopje, Republic of Macedonia, on 2 March 1972, certifying qualification in the
Certificate of Professional Competence (CPC) for the Road Transport Manager
- National and International Road Haulage -

Possession of this qualification is confirmed by the IRU Academy on its web site.
This certificate is valid until the expiry date indicated on the CPC Certificate issued by the Competent Authority.

This course is delivered by the IRU Academy Accredited Training Institute SIZ Makedonija Soobrakaj - AMERIT in accordance with 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 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 Ertili MILEV
Secretary General
AMERIT
Republic of Macedonia

iru.org/academy



CPC DRIVER CERTIFICATE

Awarded on 20 December 2017 to
Zoran ALEKSOVSKI
Born in SKOPJE, Republic of Macedonia, on 18 September 1962, certifying qualification in the
Certificate of Professional Competence (CPC) for Driver
- Initial Qualification, Category 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 the expiry date indicated on the CPC card issued by the Competent Authority.

This course is delivered by the IRU Academy Accredited Training Institute SIZ Makedonija Soobrakaj - AMERIT 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 Erli MILEV
Secretary General
AMERIT
Republic of Macedonia

Annex 3. CPC periodic training of Driver issued by IRU Academy SIZ accredited training institution Makedonija soobrakaj AMERIT

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CPC DRIVER CERTIFICATE

Awarded on 20 December 2017 to
Branko VELKOVSKI
Born in SKOPJE, Republic of Macedonia, on 22 May 1976, certifying qualification in the
Certificate of Professional Competence (CPC) for Driver
- 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 the expiry date indicated on the CPC card issued by the Competent Authority.

This course is delivered by the IRU Academy Accredited Training Institute SIZ Makedonija Soobrakaj - AMERIT 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 Ertili MILEV
Secretary General
AMERIT
Republic of Macedonia

Annex 4. Model of National Driver Qualification card

