



A GUIDE TO ROAD HAULAGE OPERATOR LICENSING

Please read this guide before completing the Licence Application Form

This is a guide only and as such does not attempt to cover every issue in relation to your application for a Road Haulage Operator Licence. It does not constitute a legal interpretation of the relevant legislation.

INTRODUCTION

This Guide contains information to help you decide whether you need a Road Haulage Operator Licence, what that licence would entitle you to do, and how to go about qualifying and applying for a licence. Licences are issued by the Minister for Transport, under section 2 of the Road Traffic and Transport Act 2006 for up to five years. Other legislation governing this sector includes the Road Transport Act 2011, Regulation (EC) 1071/2009 (as amended by Regulation (EU) 2020/1055), and related Statutory Instruments. A full list of legislation is available from the Department upon request. If in doubt about any requirement please make enquiry with the Department prior to licence application.

WHO NEEDS A ROAD HAULAGE OPERATOR LICENCE?

In general, you need a Road Haulage Operator Licence if you are carrying goods for hire or reward in a vehicle or combination of vehicles the maximum authorised weight of which is in excess of 3.5 tonnes.

If you are an international operator (including carrying goods to and through Great Britain and Northern Ireland) using a vehicle or combination of vehicles the maximum authorised weight of which is in excess of 2.5 tonnes, you need an International Road Haulage Operator Licence.

If you do only “own account” work, i.e. carriage of your own goods in your own vehicles driven by yourself or your employees, or delivery of goods to a customer who has purchased those goods from you, then you do not need a Road Haulage Operator Licence when operating within the State.

EXEMPTIONS

If you propose to carry any of the following commodities within the State only, a Road Haulage Operator Licence is not required for that carriage:

- cattle, sheep, pigs, turf;
- milk to a creamery or a cream separating station;
- separated milk from a creamery or cream separating station;
- milk containers to or from a creamery or a cream separating station;
- newly-harvested wheat, oats or barley during the period 1 August to 30 November each year from a farm to a place of storage, assembly or processing.

You **must** hold an International Road Haulage Operator Licence and “Community Licence” if you wish to carry any of these commodities outside this State.

In addition to the exemptions listed above, other kinds of haulage operations are also exempted; details can be found in the Schedule to the Road Transport Act 2011, which can be accessed on www.rtol.ie. Contact the Department if you have a query about whether or not you need a licence (see page 15 for contact details).

REQUIREMENTS IN ORDER TO OBTAIN A ROAD HAULAGE OPERATOR LICENCE

Applicants must:

- have a stable and effective establishment in the State
- be of good repute
- have appropriate financial standing
- have requisite professional competence

These are EU requirements and they must continue to be satisfied for the duration of the Road Haulage Operator Licence. Failure to satisfy any requirement(s) can lead to the withdrawal or suspension of your Operator Licence, Community Licence, and other vehicle documentation.

Section-by-section Guide to filling in your application form

General – Fill in all relevant parts of the application form. Please use BLOCK CAPITALS. All information provided must be true and accurate. Advice on completing the form follows below.

Section 1 – Type of Licence required

1A - This section confirms whether you want a National or International licence (note, separate forms for national and international haulage operator licences are available – please take care to complete the correct form). A NATIONAL Road Haulage Operator Licence entitles you to carry on a haulage business within this State only. An INTERNATIONAL Road Haulage Operator Licence is issued with a “Community Licence” and a certified true copy of the Community Licence for each vehicle authorised on the licence. It entitles you to operate in this State and between all the Member States of the European Union. It also entitles the bearer to carry goods to and through Great Britain and Northern Ireland (subject to the ‘cabotage’ rules set down in the EU-UK Trade and Co-operation Agreement).

If your Transport Manager (TM) has a National Certificate of Professional Competence (CPC), then you can only apply for a National Licence. If your TM has an International CPC, then you can apply for a National or International licence. All applications are for five-year licences. However, shorter licence validity may be imposed where the Minister deems it to be appropriate. The period of validity of the licence is stated on it when granted.

1B – If the applicant has had a previous licence, indicate the licence number here.

Section 2 – Applicant Details

This section confirms the applicant details (trading title, business address, CRO information where applicable, contact information, etc.). Stable and effective establishment in the State is a key licence requirement, and it is important that the information provided here is accurate. All questions must be answered. The below advice applies to specified fields:

2A – Please write the name of the applicant. This is the name that will appear on the Licence. ***Where the applicant is a company, the full name of the company, as it appears on the company’s Certificate of Incorporation, must be used.*** Do not write in the name of the director, company secretary, etc., who is completing the form, as the licence may incorrectly issue in that person’s name.

2B – Insert the business address of the applicant undertaking. This will be where the undertaking keeps its core business documents, in particular its accounting documents, personnel management documents, documents containing data relating to driving time and rest and any other documentation to which the Minister or the Road Safety Authority must have access in order to verify compliance with licensing requirements or with road safety rules. **Under legislation, an undertaking must effectively and continuously conduct its administrative and commercial activities with the appropriate equipment and facilities, from this address.**

2D – If there is a separate Registered Office Address for CRO purposes, this should be stated here.

2J - Employee numbers include (as the case may be) any sole trader, partner, or company/co-operative directors. Administration and driving staff must also be included (whether they are employed full-time, part-time, or under contract). If the applicant undertaking is a ‘sole trader’ with no other staff, the correct answer to the question is ‘1’.

Section 3 – Details of Sole Trader, Directors and others in the firm

Please ensure you fill in all of the details for each person, including Personal Public Service Number (PPSN) and Date of Birth. If any person does not have a PPSN, one must be obtained from the Department of Social Protection. Applications where the PPSN or date of birth is missing will be delayed and may be refused. Non- resident directors, partners, etc. can obtain a PPSN from the Department of Social Protection.

- **Sole traders** - Where the applicant is a sole trader, that person should fill in the appropriate details in 3A.
- **Companies** - Where the applicant is a company, then fill in the appropriate details in 3A, 3B, etc., for the company secretary and for each director.

- **Cooperatives** - Where the applicant is a cooperative, then fill in the appropriate details in 3A, 3B, etc., for the secretary and all members of the committee of management.
- **Partnerships** - Where the applicant is a partnership, then fill in the appropriate details in 3A, 3B, etc., for each partner.

If there are additional directors, or members of the committee of management, or partners, their details can be written on a separate page, signed and dated by an individual listed under section 10 of this guide, and enclosed with the application. If the Secretary for the firm is itself another company, then the Secretary and Director details for that company must also be provided in this section. The "Position in firm" can be Sole Trader, Director, Company Secretary, Secretary/Member of the Committee of Management or Partner.

Section 4 – Vehicles to be used under the Licence

Every qualifying motorised vehicle to be used under the licence for carrying goods for hire or reward, must be declared in this section of the application form. **Each vehicle must be taxed, insured for hire or reward in the name of the licence applicant or holder, and certified as roadworthy.** The registration documents for each vehicle must be in the full and proper name of the applicant unless a vehicle is leased or hired, in which case the registration documents will be in the name of the registered owner. For partnerships, the vehicle may be in the name of one of the partners. **Vehicles with a maximum permitted weight in excess of 3.5 tonnes must also have a valid tachograph calibration certificate.**

For operations in Ireland, it is an offence to operate any vehicle with a maximum authorised weight in excess of 3.5 tonnes for the carriage of goods for hire or reward unless it is authorised for use under a Road Haulage Operator Licence. The maximum penalty for such an offence is a fine of €500,000 and/or 3 years in prison. For operations outside of Ireland, it is an offence to carry goods using vehicles/combinations of vehicles with a maximum authorised weight in excess of 2.5 tonnes, without having a valid Community Licence.

4B – This should state the main base where the vehicles are normally parked. If there are a number of bases where vehicles are parked these can be written on a separate page, signed and dated by the applicant, and enclosed with the application. Operators are required to have suitable (i.e., commercial) operating and parking facilities for all of their vehicles.

Section 5 – Transport Manager Details

To comply with the requirement of professional competence there must be at least one person in the road haulage operator business who holds a Certificate of Professional Competence in Road Haulage in order to be qualified to act as Transport Manager. A Transport Manager is a person who:

- holds an appropriate Certificate of Professional Competence issued by an EU authority* (note, UK including Northern Ireland qualifications are no longer valid), and
- is of good repute and over 18 years of age; and
- is designated by notice in writing to the Minister; and
- is engaged to continuously and effectively manage the transport operations of the operator, and
- is resident in the Community (note, UK including Northern Ireland is no longer a qualifying territory)

* Undertakings seeking an international haulage licence, and that operate a **fleet of LCVs only (i.e., vans)** may qualify for an exemption to point (a) above. Under legislation, where an operator has continuously managed an undertaking of the same type (i.e., vans) for a period of at least ten years leading up to 20 August 2020, the operator may be exempt from Transport Manager CPC examination requirements. This exemption does not apply in the case of national haulage operator licences, as LCVs are not within the scope of that licence type. Please contact RTOL for further information about this possible exemption.

There are two distinct types of Transport Manager:

Genuine link to undertaking – There must be a genuine link to the undertaking, such as being an employee, director, partner, owner or shareholder or administering it, or if the undertaking is a natural person, is that person.

Contracted Transport Manager – If the transport undertaking does not have a Transport Manager with a genuine link to the undertaking it may hire a Transport Manager provided that:

- the contracted Transport Manager has a written contract with the undertaking specifying the tasks to be performed and his or her responsibilities as a Transport Manager; and

- (b) the tasks in point (a) shall comprise in particular those relating to vehicle maintenance management, verification of transport contracts and documents, basic accounting, the assignment of loads or services to drivers and vehicles, and the verification of safety procedures; and
- (c) the Transport Manager does not manage the transport activities of more than 4 undertakings; and
- (d) the combined maximum total fleet is not more than 50 authorised vehicles; and
- (e) the contracted Transport Manager performs the specified tasks solely in the interests of the undertaking and his or her responsibilities are exercised independently of any undertaking for which the undertaking carries out transport operations.

If you intend to appoint a contracted Transport Manager you must be able to produce a copy of the contract on request. The PPSN, date of birth and place of birth of the Transport Manager must be inserted in this section. If the Transport Manager (including non-resident) does not have a PPSN, one must be obtained from the Department of Social Protection. Applications received without this information will be delayed and may be refused.

Section 6 – Good Repute

Each person listed in Section 3 and the Transport Manager listed in Section 5 of this application must complete a **Vetting Invitation Form** and **Good Repute Declaration Form for Licence Members** and must provide copies of at least **two identity documents** as outlined in the guidelines to the Vetting Invitation Form. Where the applicant is a company or a cooperative, a **Good Repute Declaration Form for Companies and Cooperatives** must also be completed and signed on behalf of the company or cooperative by a director / company secretary / member of the cooperative committee of management / secretary of cooperative listing any convictions or infringements recorded against the company or cooperative. **The Vetting Invitation Form and Good Repute Declaration Form must be completed and submitted even if there are no convictions or infringements to declare.** A list of relevant convictions/infringements is provided in Note A in this Guide. *(Photocopy both forms as required.)*

Tax clearance is a good repute requirement to holding a licence also. Applicants must have current tax clearance from the Revenue Commissioners and must provide the details requested to enable RTOL to verify their tax cleared position online. Tax clearance must remain in place for the duration of any licence granted by the Minister. Loss of tax clearance may lead to the withdrawal or suspension of an operator licence.

PLEASE NOTE:

- If the secretary of an applicant company is itself a company, a Good Repute Declaration Form for Companies and Cooperatives must also be submitted on behalf of that company, signed by a director or the company secretary.
- Persons listed in a licence application who are not currently resident in Ireland, or who have resided in another jurisdiction, may be subject to additional background checks. This may entail a request for a judicial record from the foreign jurisdiction, or a notarised declaration from the foreign jurisdiction.



Vetting Invitation Form

Garda Vetting is now carried out by means of an **online eVetting** process. The completed Vetting Invitation Form is submitted to RTOL Unit as part of the application, and an e-mail from evetting.donotreply@garda.ie is then sent to the individual's e-mail address containing a link to an online Garda Vetting Application Form. The individual must then use the link to access and complete the electronic Garda Vetting Application Form and submit it online. Garda Vetting is used to collect information on whether an individual has a criminal record resulting from Garda prosecution. In accordance with Section 2 of the National Vetting Bureau (Children & Vulnerable Persons) Act 2012, a Criminal Record means a record of the person's convictions, whether within or outside the State, for any criminal offence, together with any ancillary or consequential orders made pursuant to the convictions concerned, or a record of any prosecutions pending against the person, whether within or outside the State, for any criminal offences, or both. **Therefore, persons must declare all convictions and any pending prosecutions when completing the eVetting process.**



Good Repute Declaration Form

The Good Repute Declaration Form is used to collect information on:

- i)** All infringements, either in the State or outside the State (an infringement imposes a penalty without a Court appearance, e.g. a prohibition, on-the-spot fine, fixed penalty, penalty points etc.); and
- ii)** In the case of a person, any convictions not resulting from Garda prosecution, either in the State or outside the State (examples include convictions by the Road Safety Authority, Revenue, Workplace Relations Commission etc.).

iii) In the case of a company or cooperative, all convictions including those resulting from Garda prosecution, either in Ireland or outside the State.

See **Note A** attached for a list of relevant convictions / infringements. All information collected in this regard will be considered for the purposes of determining good repute: in the case of convictions within the meaning of Section 2 (1) of the Road Transport Act 2011, if convicted at any time; and in the case of other convictions or infringements, if incurred within the previous five years.

Where the operator, or any person listed in Section 3 and the Transport Manager listed in Section 5, at any time during the currency of the licence, is convicted of a relevant offence or commits an infringement listed in **Note A** this must be notified to the Minister.

At any time during the period of validity of the licence, the information collected may be used for the purposes of checking or assessing the good repute of the operator or any person who holds a specified position. Information on convictions or infringements received by the Department will be held in confidence and for a minimum of five years.

Any failure to provide full information regarding good repute is a serious offence, and may lead to the application being refused. Any person who fails to provide full information, or who provides false or misleading information, is liable on prosecution to a maximum fine of up to €50,000.

Section 7 – Financial Standing

Where an undertaking intends to **only** operate vehicles or combinations of vehicles with a maximum permitted weight of greater than 2.5 tonnes but less than or equal to 3.5 tonnes, applicants must demonstrate that they have sufficient capital and reserves of at least €1,800 for the first vehicle, and €900 for each additional vehicle, to be authorised for use under the Road Haulage Operator Licence. Such vehicles are referred to as Light Commercial Vehicles (LCV) – e.g., commercial vans, and will be engaged in international hire or reward transport operations.

Where an undertaking intends to operate **any** vehicles or combinations of vehicles with a maximum authorised weight in excess of 3.5 tonnes, applicants must demonstrate that they have sufficient capital and reserves of at least €9,000 for the first vehicle to be authorised under the licence. Such vehicles are referred to as Heavy Goods Vehicles (HGV). For additional vehicles, an applicant must demonstrate €5,000 for each HGV, and/or €900 for each LCV, to be authorised for use under the Road Haulage Operator Licence.

Financial standing must be demonstrated by submission of the required document as outlined in the table below. Financial standing documents submitted must be in the same name as the applicant and in respect of the financial year end to a date not more than 18 months prior to the date of application. If it is a new business, a Statement of Affairs completed as at a date no more than 1 month prior to the date of application and certified by a duly accredited person (see definition of duly accredited person at end of this section) must be submitted.

To demonstrate financial standing, you **MUST** enclose **ONE** of the following with your application:

Formation Type	Documents required
Company, sole trader, co-operative or partnership	Annual accounts for a financial year end to a date not more than 18 months prior to the date of application, certified and signed by a duly accredited person. The annual accounts must include a Balance Sheet and Profit and Loss Account.
New Business (trading for less than 1 year)	A Statement of Affairs as at a date no more than 1 month prior to the date of application and certified and signed by a duly accredited person. The Statement of Affairs must list all of the assets and liabilities of the undertaking

Financial standing documentation must be in the name of the licence applicant only, and in EURO denomination. Documents in the name of a 'parent company' or any other economic entity other than the licence applicant are inadmissible.

As defined by Statutory Instrument No. 398 of 2018, a "duly accredited person" means a person who

- (a) has been admitted as, and is, a member of a prescribed accountancy body,
- (b) is for the time being practising in the profession of accountancy,

(c) is not and never has been a relevant person, or an employee of the undertaking in respect of whom he or she is certifying the annual accounts or the statement of affairs, and

(d) is maintaining such minimum level of professional indemnity insurance as is required by the prescribed accountancy body concerned, and

(e) is the holder of a certificate to practice accountancy, for the time being in force, issued by an accountancy body.

“Prescribed accountancy body” has the same meaning as it has in section 4 of the Companies (Auditing and Account) Act 2003. The current list of prescribed accountancy bodies is as follows:

- Institute of Chartered Accountants in Ireland
- Institute of Chartered Accountants in England and Wales
- Institute of Chartered Accountants of Scotland
- Institute of Certified Public Accountants in Ireland
- The Association of Chartered Certified Accountants
- Institute of Incorporated Public Accountants
- Association of International Accountants
- Chartered Institute of Management Accountants
- Chartered Institute of Public Finance and Accountancy

► **NOTE: The duly accredited person who certifies the financial standing document must clearly indicate which of the prescribed accountancy bodies they are affiliated to.**

Section 8 – Fees

The full fee must accompany each application. The full fee includes both the standing fee and the additional fee per vehicle to be authorised on the licence. The fee is paid for the consideration of the application, and is not refundable if the licence is not granted. ***Fees for online applications, which may be made on www.rtol.ie, are lower than for paper applications and online applications will receive priority in processing.*** Electronic payment by debit or credit card is the preferred payment method (it is the only option for online application) and the paper application form includes a detachable page for entering card details, which is shredded when the transaction is completed. If necessary, payment can be made by cheque, bank draft or postal order made payable to Department of Transport.

National licence fee:

Online application fee (see www.rtol.ie):

A standing fee of €70, plus a fee of €100 for each vehicle to be authorised on the Licence

- **Example** – for a National licence application with 3 vehicles, the fee is €70 plus (€100 X 3) = €370 in total.

Post/paper application fee:

A standing fee of €90, plus a fee of €125 for each vehicle to be authorised on the Licence

- **Example** – for a National licence application with 3 vehicles, the fee is €90 plus (€125 X 3) = €465 in total.

International licence fee:

Online application fee (see www.rtol.ie):

A standing fee of €70, plus a fee of €230 for each vehicle to be authorised on the Licence

- **Example** – for an International licence application with 5 vehicles, the fee is €70 plus (€230 X 5) = €1,220 in total

Post/paper application fee:

A standing fee of €90, plus a fee of €250 for each vehicle to be authorised on the Licence

- **Example** – for an International licence application with 5 vehicles, the fee is €90 plus (€250 X 5) = €1,340 in total

Section 9 – Conditions of Application

This section sets out the main conditions under which the application is made. In addition, every appropriate legal requirement in Irish or European legislation that governs access to the occupation or market in relation to road haulage or that applies to vehicles used for haulage, as well as any appropriate administrative policy of the Minister, also applies to the application. Once the licence is granted, certain details including operator name, address, licence number, licence validity dates, vehicle registration numbers, and transport manager’s name will be publicly accessible by means of a search facility on www.rtol.ie

Section 10 – Declaration and Signature

This section should be completed and signed by one of the following:

- the applicant, where the applicant is a sole trader;
- one of the partners, where the applicant is a partnership;
- the company secretary or a company director, where the applicant is a company;
- the secretary or a member of the committee of management, where the applicant is a cooperative.

The person signing this section must ascertain that all of the details in relation to the application are correct, and that any information being provided to them by any other person for the purposes of the application is correct. Where any person has provided any information for the purposes of this application which is found to be false or misleading, that person commits an offence and may be prosecuted by the Minister and may be liable to a fine of up to €50,000. Where any aspect of the application is found to be false or misleading, the Minister may refuse the application, and deem the good repute of the applicant and/or relevant persons to be affected.

Further Information

For application forms and further information see www.rtol.ie or contact the Road Transport Operator Licensing Unit at:

Department of Transport, Clonfert House, Bride Street, Loughrea, Co. Galway H62 ET93

Telephone: 091 872950 / Email: rtol@transport.gov.ie / Website: www.rtol.ie

NOTE A

LIST OF RELEVANT CONVICTIONS/INFRINGEMENTS

Road Transport Act 2011

Section 2(1) – Obligation on operator to notify Minister of certain convictions

- (a) murder,
- (b) manslaughter,
- (c) a drug trafficking offence (within the meaning of section 3 of the Criminal Justice Act 1994),
- (d) an offence under the Non-Fatal Offences against the Person Act 1997,
- (e) an offence under section 2 of the Illegal Immigrants (Trafficking) Act 2000,
- (f) a sexual offence (within the meaning of section 3 of the Sex Offenders Act 2001),
- (g) an offence under the Criminal Justice (Theft and Fraud Offences) Act 2001,
- (h) an offence under the Criminal Law (Human Trafficking) Act 2008,
- (i) an offence relating to money laundering under Part 2 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010,
- (j) an offence under the Firearms Acts 1925 to 2009,
- (k) an offence consisting of attempting or conspiring to commit, or aiding, abetting, counselling, soliciting, procuring or inciting the commission of any offence mentioned in *paragraphs (a) to (j)*, or
- (l) an offence under the law of another jurisdiction which corresponds to an offence mentioned in *paragraphs (a) to (k)*, where the conduct constituting the offence under the law of that other jurisdiction would, if committed in the State, constitute an offence referred to in any of those paragraphs.

Statutory Instrument No. 265 of 2018 – European Union (Occupation of Road Transport Operator) Regulations 2018

SCHEDULE 1

An offence under:

- (a) the Companies Acts 2014 relating to a company established for the purposes of pursuing the occupation of road transport operator;
- (b) the Road Traffic Acts 1961 to 2016;
- (c) Part 2 of the Public Transport Regulation Act 2009 (No. 37 of 2009);
- (d) the Road Transport Act 1933 (No. 8 of 1933) and any Act or section of any Act construed together with it;
- (e) the Dangerous Substances Acts 1972 and 1979;
- (f) the Carriage of Dangerous Goods by Road Act 1998 (No. 43 of 1998);
- (g) the Animal Health and Welfare Act 2013 (No. 15 of 2013);
- (h) the Customs and Excise (Miscellaneous Provisions) Act 1988 (No. 10 of 1988);
- (i) section 3 of the Customs Act 1956 (No. 7 of 1956);
- (j) section 14 or 15 of the Customs Act 2015 (No. 18 of 2015);
- (k) section 10 of the International Carriage of Perishable Foodstuffs Act 1987 (No. 20 of 1987);
- (l) the International Carriage of Goods by Road Act 1990 (No. 13 of 1990);
- (m) section 102 of the Finance Act 1999 (No. 2 of 1999);
- (n) the Agriculture Acts 1931 to 1980 relating to the carriage of animals, meat or agricultural produce;
- (o) the Agricultural Produce (Fresh Meat) Acts 1930 to 1988;
- (p) the following Acts, in so far as they relate to the occupation of road transport operator:
 - (i) the Minimum Notice and Terms of Employment Acts 1973 to 2005;
 - (ii) section 77 of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005);
 - (iii) the Protection of Young Persons (Employment) Act 1996 (No. 16 of 1996);
 - (iv) the Unfair Dismissals Acts 1977 to 2007;
 - (v) the Organisation of Working Time Act 1997 (No. 20 of 1997);
 - (vi) the Terms of Employment Acts 1994 to 2012;
 - (vii) the Employment Permits Acts 2003 to 2014;
 - (viii) the Payment of Wages Act 1991 (No. 25 of 1991);
- (q) the Social Welfare Acts;

- (r) the Competition Acts 2002 to 2014;
- (s) the Bankruptcy Acts 1988 to 2011;
- (t) Part 3 of the Consumer Protection Act 2007 (No. 19 of 2007);
- (u) the Sale of Goods and Supply of Services Act 1980 (No. 16 of 1980);
- (v) the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012);
- (w) the Taxi Regulation Act 2013 (No. 37 of 2013);
- (x) any regulation made under the European Communities Act 1972, relating to road transport or the carriage of goods or passengers by road;
- (y) a law in force in another Member State that corresponds to any of the foregoing offences, where the conduct constituting the offence under the law of that other Member State would, if committed in the State, constitute an offence.

Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009, as amended by Regulation (EU) 2020/1055 of 15 July 2020

ANNEX IV

Most serious infringements for the purposes of Article 6(2)(a)

1. (a) Exceeding the maximum 6-day or fortnightly driving time limits by margins of 25% or more.
(b) Exceeding, during a daily working period, the maximum daily driving time limit by a margin of 50% or more.
2. Not having a tachograph and/or speed limiter, or having in the vehicle and/or using a fraudulent device able to modify the records of the recording equipment and/or the speed limiter or falsifying record sheets or data downloaded from the tachograph and/or the driver card.
3. Driving without a valid roadworthiness certificate if such a document is required under Community law and/or driving with a very serious deficiency of, inter alia, the braking system, the steering linkages, the wheels/tyres, the suspension or chassis that would create such an immediate risk to road safety that it leads to a decision to immobilise the vehicle.
4. Transporting dangerous goods that are prohibited for transport or transporting such goods in a prohibited or non-approved means of containment or without identifying them on the vehicle as dangerous goods, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle.
5. Carrying passengers or goods without holding a valid driving licence or carrying by an undertaking not holding a valid Community licence.
6. Driving with a driver card that has been falsified, or with a card of which the driver is not the holder, or which has been obtained on the basis of false declarations and/or forged documents.
7. Carrying goods exceeding the maximum permissible laden mass by 20% or more for vehicles the permissible laden weight of which exceeds 12 tonnes, and by 25% or more for vehicles the permissible laden weight of which does not exceed 12 tonnes

Regulation (EC) 1071/2009 of the European Parliament and the Council of 21 October 2009, as amended by Regulation (EU) 2020/1055 of 15 July 2020

Article 6

- (a) that there be no compelling grounds for doubting the good repute of the transport manager or the transport undertaking, such as convictions or penalties for any serious infringement of national rules in force in the fields of:
- (i) commercial law;
 - (ii) insolvency law;
 - (iii) pay and employment conditions in the profession;
 - (iv) road traffic;
 - (v) professional liability;
 - (vi) trafficking in human beings or drugs
 - (vii) tax law, and

(b) that the transport manager or the transport undertaking have not in one or more Member States been convicted of a serious criminal offence or incurred a penalty for a serious infringement of Community rules relating in particular to:

- (i) the driving time and rest periods of drivers, working time and the installation and use of recording equipment;
- (ii) the maximum weights and dimensions of commercial vehicles used in international traffic;
- (iii) the initial qualification and continuous training of drivers;
- (iv) the roadworthiness of commercial vehicles, including the compulsory technical inspection of motorvehicles;
- (v) access to the market in international road haulage or, as appropriate, access to the market in road passenger transport;
- (vi) safety in the carriage of dangerous goods by road;
- (vii) the installation and use of speed-limiting devices in certain categories of vehicle;
- (viii) driving licences;
- (ix) admission to the occupation;
- (x) animal transport;
- (xi) the posting of workers in road transport;
- (xii) the law applicable to contractual obligations;
- (xiii) cabotage

Commission Regulation (EU) 2016/403 of 18 March 2016 supplementing Regulation (EC) No. 1071/2009 with regard to the classification of serious infringements of the Union rules which may lead to the loss of good repute by the road transport operator

Privacy Statement

The Department of Transport (DoT) requires customers to provide certain personal data in order to carry out our legislative and administrative functions. The Department will treat all information and personal data that you provide as confidential, in accordance with the General Data Protection Regulation and Data Protection legislation. Your personal data may be exchanged with other Government Departments or agencies under the remit of DoT in accordance with law. Full details of the Department's data protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available at <https://www.gov.ie/en/publication/fdde77-data-protection/>. Details of this policy are also available in hard copy upon request by emailing dataprotection@transport.gov.ie or by writing to Data Protection Unit, Department of Transport, Leeson Lane, Dublin D02 TR60.

Ráiteas Príobháideachta

Éilíonn an Roinn Iompair (DoT) ar chustaiméirí faisnéis phearsanta ar leith a sholáthar d'fhonn feidhmeanna reachtachta agus riaracháin a chomhlíonadh. Caithefidh an Roinn le gach faisnéis agus sonraí pearsanta a chuirfidh tú ar fáil mar fhaisnéis agus sonraí atá faoi rún de réir an Rialacháin Ghinearálta um Chosaint Sonraí agus reachtaíocht Cosanta Sonraí.

D'fhéadfaí, de réir dlí, do sonraí pearsanta a mhalartú le Ranna Rialtais nó gníomhaireachtaí eile atá ag teacht faoi théarmaí tagartha DoT. Tá na sonraí ar fad maidir le beartas cosanta sonraí na Roinne, ina leagtar amach mar a bhainfidh leas as do chuid faisnéise pearsanta, chomh maith le heolas maidir le do chearta mar dhuine is údar do na sonraí le fáil ag <https://www.gov.ie/en/publication/fdde77-data-protection/>.

Tá cóip chrua de na sonraí maidir leis an mbeartas seo le fáil freisin ach ríomhphost á iarraidh a sheoladh chuig dataprotection@transport.gov.ie nó scríobh chuig an Aonad Cosanta Sonraí, An Roinn Iompair, Lána Liosain, Baile Átha Cliath D02 TR60.



Return this application to:
Road Transport Operator Licensing Unit
Department of Transport
Clonfert House, Bride Street, Loughrea, Co. Galway H62 ET93

INTERNATIONAL ROAD HAULAGE OPERATOR LICENCE APPLICATION FORM

This is an application form for an International Road Haulage Operator Licence, and for all the appropriate documents for vehicles to be authorised under the licence. Please complete in CAPITAL LETTERS. **You should read the Guide to Road Haulage Licensing (referred to in this form as “the Guide”) before filling in this form.** If you need more space for any part of this application, use a separate page and enclose it with this application. The fee must be paid in full and accompany the application. All documentation indicated in this form must be enclosed. Tick boxes as appropriate in this form. If in doubt about any aspect of filling in this form, consult the Guide or contact the Road Transport Operator Licensing Unit.

Section 1	Type of Licence required (see Section 1 in the Guide)	<u>Office Use Only</u>
1A	International Road Haulage Operator Licence <input type="checkbox"/>	Application No. _____
1B	Previous Licence No. (if any) _____	Licence No. _____

Section 2	Applicant Details and Establishment	(see Section 2 in the Guide)
<p>Note: all fields must be completed (including Eircode, telephone, and email address information). Incomplete information can result in the application being delayed, or refused.</p>		
2A	Name of Applicant _____	
2B	Business Address of Applicant _____ _____	
2C	Eircode _____	
2D	Registered Office (if different from 2B) _____	
2E	Business Formation Type: Sole Trader <input type="checkbox"/> Company <input type="checkbox"/> Cooperative <input type="checkbox"/> Partnership <input type="checkbox"/>	
2F	Office Phone No. _____	
2G	Office e-mail _____	
2H	In the case of a company, state Companies Registration Office registration no. _____	
2I	If a trade/business name is registered with Companies Registration Office, state registration no. _____ and name _____	
2J	Number of people employed in the undertaking at 31 December last (required information - state '0' if the undertaking did not yet exist at that point in time) _____	

Section 3 Details of Sole Trader, Directors or others in the business (see Section 3 in the Guide)

3A
 Name _____
 Address _____
 _____ Eircode: _____
 Mobile _____
 E-mail _____
 PPSN _____
 Date of Birth _____
 Position in firm _____

3B
 Name _____
 Address _____
 _____ Eircode: _____
 Mobile _____
 E-mail _____
 PPSN _____
 Date of Birth _____
 Position in firm _____

3C
 Name _____
 Address _____
 _____ Eircode: _____
 Mobile _____
 E-mail _____
 PPSN _____
 Date of Birth _____
 Position in firm _____

3D
 Name _____
 Address _____
 _____ Eircode: _____
 Mobile _____
 E-mail _____
 PPSN _____
 Date of Birth _____
 Position in firm _____

Section 4 Vehicles to be used under the Licence (see Section 4 in the Guide)

4A	Registration number	Vehicle category (LCV or HGV)	Is vehicle leased or hired Y/N?
<p>IMPORTANT NOTE: Motorised vehicles to be authorised under the licence and which have a maximum permitted weight exceeding 2.5 tonnes must be declared in this section. Please indicate if the vehicle is a Light Commercial Vehicle (LCV – maximum authorised weight of more than 2.5 tonnes, but less than or equal to 3.5 tonnes), or a Heavy Goods Vehicle (HGV) – maximum authorised weight of more than 3.5 tonnes).</p> <p>ALL VEHICLES ENTERED HERE <u>MUST</u> HAVE CURRENT MOTOR TAX, CERTIFICATE OF ROADWORTHINESS, BE INSURED FOR HIRE OR REWARD IN THE NAME OF THE APPLICANT UNDERTAKING AND (FOR VEHICLES WITH A MAXIMUM AUTHORISED WEIGHT OF MORE THAN 3.5 TONNES ONLY) HAVE A VALID TACHOGRAPH CALIBRATION CERTIFICATE.</p> <p>ALL VEHICLES MUST BE REGISTERED TO THE APPLICANT UNDERTAKING, UNLESS UNDER FORMAL LEASE HIRE. FOR PARTNERSHIPS, A VEHICLE MAY BE REGISTERED TO ONE OF THE PARTNERS.</p>	1		
	2		
	3		
	4		
	5		
	6		
	7		
	8		

(If necessary, continue on a separate page, to be signed and dated by the applicant)

4B	Every operator must have adequate commercial parking spaces and commercial operating premises in the State. Please provide address(es), including Eircode(s), where vehicles are normally parked
<hr/>	
<hr/>	
4C	I hereby declare that all vehicles to be used under the licence are insured to operate for hire or reward in the name of the applicant undertaking (please tick to confirm) <input type="checkbox"/>

Section 5		Transport Manager Details	(see Section 5 in the Guide)
5A	Name of Transport Manager _____		
5B	Address _____		
		Eircode: _____	
5C	Mobile _____	5D	Telephone _____
5E	E-mail _____		
5F	PPSN _____	5G	Date of Birth _____
5H	Place of Birth _____	5I	Transport Manager's EU CPC No. _____
5J	EU Country of issue of Certificate of Professional Competence (CPC): _____		
5K	Date of issue of CPC _____		
5L	Confirm that CPC is for International Haulage (National CPC does not qualify) <input type="checkbox"/>		
<u>Office Use Only</u>			

Section 6		Good Repute	(see Section 6 in the Guide)
<p>Each person listed in Section 3 and the Transport Manager listed in Section 5 of this application must complete a <u>Vetting Invitation Form</u> and <u>Good Repute Declaration Form for Licence Members</u> (attached to this form) and must provide copies of at least <u>two identity documents</u> as outlined in the guidelines to the Vetting Invitation Form. Where the applicant is a company or a cooperative, a <u>Good Repute Declaration Form for Companies and Cooperatives</u> (attached to this form) must also be completed and signed on behalf of the company or cooperative by a director / company secretary/ member of the cooperative committee of management / secretary of cooperative. The Vetting Invitation Form and Good Repute Declaration Form must be completed and submitted even if there are no convictions or infringements to declare. A list of relevant convictions / infringements is provided in Note A in the Guide.</p>			
<p>Tax clearance is a good repute requirement. The following information must be provided to enable RTOL Unit to verify the applicant's tax clearance status online:</p> <ul style="list-style-type: none"> • Applicant's Tax Reference Number _____ 			

Section 7**Financial Standing****(see Section 7 in the Guide)**

7A You must enclose the documents required for your formation type demonstrating that you have sufficient resources to launch and administer the business.

Where an undertaking operates **LCVs only**, capital and reserves of of at least €1,800 for the first vehicle, and €900 for each additional vehicle, to be authorised for use under the Road Haulage Operator Licence, must be demonstrated.

Where an undertaking operates **any HGV**, capital and reserves of at least of at least €9,000 for the first vehicle, and €5000 for each additional HGV vehicle, and/or €900 for each additional LCV vehicle to be authorised for use under the Road Haulage Operator Licence, must be demonstrated.

Section 8**Fees****(see Section 8 in the Guide)**

8A The appropriate fee for this application and details of how to pay are set out in Note 8 in the Guide. The fee paid is for the consideration of the application and is non-refundable, even if the application is not granted. Please state the fee amount for this application: € _____ .

8B Please indicate payment method: Credit/Debit Card (see Section 11)

Cheque Bank Draft Postal Order (*made payable to the Department of Transport*)

Office Use Only

Section 9**Conditions of Application****(see Section 9 in the Guide)**

9A The Minister may refuse any application where he or she considers that any of the requirements to obtain a licence are not met, where any false declaration is made, or if the application is not satisfactory or is abandoned.

9B The Minister may undertake such additional checks or seek any additional information before granting a licence, including additional checks with enforcement authorities within and outside the State.

9C The Minister may share details about operators and relevant persons with enforcement authorities in Ireland, other EU jurisdictions and the UK, and on request with other Government Departments and their agencies.

9D The information provided in this application will be held electronically by the Minister. Once the licence is granted, certain licence information (see the Guide for details) is made publicly accessible by the Minister on www.rtol.ie.

9E Any false declaration made in this application may lead to prosecution and a fine of up to €50,000.

9F This form with the appropriate Vetting Invitation Form/s (each with at least two identity documents), Good Repute Declaration Form/s, document to demonstrate financial standing, evidence of tax clearance and the fee together constitute the application. Applicants must complete this form in conjunction with the Guide.

10A I hereby declare that all of the information in this application is true and accurate, and all statements or information provided about any person made in this application are made with their agreement.

10B I confirm my agreement that by providing my Tax Reference Number, RTOL Unit may verify my tax clearance status.

10C Any changes in the details provided in this application will be notified to the Department no later than one month from that occurrence. Changes to vehicles being operated will be notified immediately.

10D I understand that the Department of Transport may undertake good repute checks on persons who hold a specified position before approving this application and during the validity of the licence.

10E I agree to inform the Department of Transport of any convictions / infringements for relevant offences against any person to whom this application relates during the validity of the licence.

10F I agree to abide by the conditions of this application and with any terms and conditions on my licence.

10G I do not know of any reason why a Road Haulage Operator Licence should not be granted to the applicant.

10H I confirm the following are enclosed (please tick ✓):

- Vetting Invitation Form and Good Repute Declaration Form for each person listed in Sections 3 and 5
- Copies of at least two ID documents as outlined in the guidelines to the Vetting Invitation Form for each person listed in Sections 3 and 5
- Good Repute Declaration Form for company or cooperative (if applicant is a company or cooperative)
- Document required to demonstrate financial standing (see Section 7)
- Tax Reference Number (see Section 7)
- Fee (see Section 8)

Signed _____ Name in BLOCK CAPITALS _____

Date _____ Status * _____

* (Applicant if applicant is Sole Trader / Director or Secretary if Company / Partner if Partnership / Member of Cooperative committee of management or Secretary of Cooperative if Cooperative)



Guidelines for completing Vetting Invitation Form (NVB 1a)

**IMPORTANT: Please read the following guidelines before completing this form.
Incomplete forms will be returned resulting in processing delays in the case of a licence application.**

GENERAL

The form must be completed in full using **BLOCK CAPITALS** and writing must be clear and legible.

The form should be completed in ball point pen.

The original signed Vetting Invitation Form must be returned – a photocopy will not be accepted.

All applicants are required to provide documents to validate their identity – **SEE NOTE BELOW.**

PERSONAL DETAILS

Insert details for each field, allowing one block letter per box.

Please enter one digit per box for date of birth field and for your contact number.

Please fill in your e-mail address carefully, allowing one character/symbol per box. The invitation to the e-vetting website will be sent to this e-mail address, so it is essential that it is entered correctly.

Your current address means the address where you are now living.

The address fields should be completed in full. Do not use abbreviations.

ROLE BEING VETTED FOR

The role being vetted for must be clearly stated (for example Road Haulage Operator, Road Passenger Transport Operator, Director, Transport Manager etc.)

DECLARATION OF APPLICANT

The applicant must confirm their understanding and acceptance of the three statements shown by signing and dating the form at Section 2 and ticking the box provided.

NOTE ON IDENTIFICATION DOCUMENTS

Copies of at least **two** forms of identification must be provided to validate the identity of the applicant when completing the application and at least one of these must be photographic. There is a points system for verification of identity and the documents provided must total at least **100 points**. Forms of identification are given points as follows:

- | | |
|--|-----------|
| • Irish Driving Licence or Learner Permit (new credit card format) | 80 points |
| • Irish Public Services Card | 80 points |
| • Digital Tachograph Card | 80 points |
| • Driver CPC Card | 80 points |
| • Passport (from country of citizenship) | 70 points |
| • Irish Certificate of Naturalisation | 50 points |
| • Birth Certificate | 50 points |
| • Garda National Immigration Bureau (GNIB) Card | 50 points |
| • National Identity Card (for EU/EEA/Swiss citizens) | 50 points |
| • Irish Driving Licence or Learner Permit (old paper format) | 40 points |
| • Letter from Employer within last two years confirming name and address | 35 points |

Department of Transport
 Road Transport Operator
 Licensing Unit
 Clonfert House, Bride Street
 Loughrea
 Co. Galway H62 ET93



An Roinn Iompair
 Department of Transport

<u>For Department Use Only</u>
Our Ref: _____
Applicant/Operator Name _____

Vetting Invitation Form NVB 1(a)

IMPORTANT: Applicants must complete this form as the first stage in the Garda Vetting process. You must return this form with your application to the Department's address above, NOT to An Garda Síochána. An invitation to the e-vetting website will then be sent to the e-mail address you provide below. You must then use the link in the e-mailed invitation to access the e-vetting website and complete the online Garda vetting process. Licence applications CANNOT proceed until all members of the application have completed the online Garda vetting process.

SECTION 1 – PERSONAL INFORMATION

Forename(s):	
Middle Name:	
Surname:	
Date Of Birth:	D D / M M / Y Y Y Y
Email Address:	
Contact Number:	
Role Being Vetted For:	
Current Address:	
Line 1:	
Line 2:	
Line 3:	
Line 4:	
Line 5:	
Eircode/Postcode:	

SECTION 2 – DECLARATION OF APPLICANT

Name Of Organisation: Department of Transport

- I confirm that I have provided documentation to validate my identity as required;
- I hereby authorise the National Vetting Bureau of An Garda Síochána to furnish to the above Organisation a statement that there is no criminal record information to disclose in respect of me in Ireland or elsewhere, or a statement of criminal record information in Ireland or elsewhere as the case may be; and
- I declare that in the course of the vetting process I will disclose any conviction that may be recorded against me in

Ireland or outside the State. **PLEASE TICK BOX** →

Applicant's
 Signature:

Date: / /

GOOD REPUTE DECLARATION FORM FOR LICENCE MEMBERS

INSTRUCTIONS – PLEASE READ BEFORE COMPLETING THIS FORM

▶ **Purpose of this form** – This Good Repute Declaration Form is used to provide details of:

- (1) **any infringements** either in Ireland or outside the State (*an infringement imposes a penalty without a Court appearance, e.g. on-the-spot fine, fixed penalty, penalty points etc.*); and
 (2) **any Court convictions** not resulting from Garda prosecution, either in Ireland or outside the State (*e.g. prosecution by the Road Safety Authority, Revenue, Workplace Relations Commission etc.*).

▶ **Who must complete this form?**

This Good Repute Declaration Form must be completed (in addition to the Vetting Invitation Form) by each person listed as a licence member, including the Transport Manager, the Company Directors/Secretary where the applicant/operator is a Company, and the members of the Cooperative committee of management where the applicant/operator is a Cooperative.

▶ **Name of Licence Applicant/Operator:** This is the name in which the licence is to issue in the case of a licence application, or the name of the licence holder where there is a current licence.

▶ This form should be completed clearly and legibly in full using BLOCK CAPITALS.

EACH PERSON listed as a licence member must enter his/her details below

FORENAME:		SURNAME:	
PREVIOUS NAME (if any):	DATE OF BIRTH: (dd/mm/yyyy)	PPS Number:	

Name of Licence Applicant/Operator

(Note: Where the licence is in the name of a Company or Cooperative, that name should be entered here.)

Have you received a penalty for any infringement or any conviction not resulting from Garda prosecution, either in Ireland or outside the State?

No Yes If yes, please provide details below (if necessary, use additional pages and attach)

Date of infringement or conviction	Nature of infringement or conviction	Prosecuting Authority	Place of infringement or conviction	Court (if applicable)	Penalty

DECLARATION

I, the undersigned, hereby declare that in accordance with the above instructions I have included all infringements / convictions recorded against me in Ireland or outside the State.

Signature: _____

PLEASE PRINT ALSO

Date: _____

Position in transport undertaking: _____

(Applicant/Director/Secretary/Transport Manager /Partner/Member of Cooperative Management Committee/Secretary of Cooperative)

GOOD REPUTE DECLARATION FORM FOR COMPANIES AND COOPERATIVES

INSTRUCTIONS – PLEASE READ BEFORE COMPLETING THIS FORM

- ▶ **Purpose of this form** – This Good Repute Declaration Form is used to provide details of:
- (1) any infringements** either in Ireland or outside the State recorded against the Company or Cooperative named below (*an infringement imposes a penalty without a Court appearance, e.g. on-the-spot fine, fixed penalty, penalty points etc.*); and
- (2) any Court convictions** either in Ireland or outside the State recorded against the Company or Cooperative named below (*including those resulting from prosecution by An Garda Síochána, Road Safety Authority, Revenue, Workplace Relations Commission etc.*).

▶ **Who must complete this form?**

If the licence is applied for or held in the name of a Company or Cooperative, this Good Repute Declaration Form must be completed on behalf of the Company or Cooperative by a Company Director / Secretary or Member / Secretary of the Cooperative committee of management, as applicable. Details of any infringements or convictions recorded against the Company or Cooperative named below must be entered on this form. This form is **NOT** instead of the Good Repute Declaration Form for Licence Members, which must also be completed by each person listed as a licence member.

▶ This form should be completed clearly and legibly in full using BLOCK CAPITALS.

Name of Company or Cooperative

Applicant’s Tax Reference Number

Has the Company or Cooperative received a penalty for any infringement or any conviction either in Ireland or outside the State?

No Yes If yes, please provide details below (if necessary, use additional pages and attach)

Date of infringement or conviction	Nature of infringement or conviction	Prosecuting Authority	Place of infringement or conviction	Court (if applicable)	Penalty

DECLARATION

I, the undersigned, hereby declare that in accordance with the above instructions I have included all infringements / convictions recorded against the above Company or Cooperative in Ireland or outside the State.

Signature: _____
PLEASE PRINT ALSO

Date: _____
Position in transport undertaking: _____
(Director/Secretary/Member of Cooperative Management Committee / Secretary of Cooperative)