

SURVEY ON ADMINISTRATIVE/FINANCIAL/PENAL SANCTIONS IN CASE OF NON-COMPLIANCE WITH DRIVER RECORDS, TACHOGRAPH AND REST PERIOD REGULATIONS FOR INTERNATIONAL ROAD TRANSPORT OPERATIONS

BELARUS

COUNTRY: The Republic of Belarus											
ADMINISTRATIVE, FINANCIAL AND PENAL SANCTIONS IN CASE OF NON-COMPLIANCE WITH DRIVER RECORDS, TACHOGRAPH AND REST PERIOD REGULATIONS FOR INTERNATIONAL ROAD TRANSPORT OPERATIONS											
DEFINITION OF OFFENCES	PERSONS SANCTIONED		SANCTIONS						COMPROMISE SETTLEMENT Amount of reduced tax paid on the spot	TIME LIMIT FOR APPEAL	
	Driver	Company	Verbal warning	Points recorded against driver's licence	Licence withdrawal	Vehicle immobilisation	Disqualification for transport manager	Max fine			Max prison sentence
<p>Driving hours and rest period offences</p> <p>Commission of EU time recording offence and rest offence - verbal warning</p> <p>Commission of EU time recording offence and rest offence - licence withdrawal</p> <p>Commission of EU time recording offence and rest offence - fine</p>										<p>1) The Complaint against verbal and decisions of the judge, of the official of the body carrying the administrative proceedings, of the judge carrying the administrative proceedings, of the Commissioner for Administrative Offences (Belarusian) is lodged. The Complaint should be considered within 8 days from the date of filing.</p> <p>2) The Resolution of the Authority carrying the administrative proceedings should be appealed to a higher Authority (the higher official) or to the Court. Resolution of the Court should be appealed to the higher Court.</p>	
<p>Vehicle registration</p> <p>Commission of offence in relation to the registration of vehicles and rest periods of the vehicle participating in international road transport (Part 1 of article 11.21 of the Republic of Belarus Administrative Offences)</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - verbal warning</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - fine</p>										<p>Article immobilisation. Verbal warning. Fine on driving the territory of the Republic of Belarus of the amount of administrative penalty depending on the performance of the international road transport manager on the performance of the international road transport manager on the territory of the Republic of Belarus, approved by the Resolution of the Council of Ministers of Belarus dated 30.05.2008 No 770.</p> <p>The Complaint against the Resolution may be lodged within 10 days from the date of obtaining a copy of the Resolution, but the Resolution may be lodged within the period of the process of the administrative proceedings. The Complaint may be lodged within 10 days from the date when the Resolution was pronounced, except for a Complaint against a decision to apply the administrative arrest sanction of a person, which may be lodged within 8 days.</p> <p>The Complaint against the Resolution shall be considered within 1 month from the date of its receipt and the Complaint against the Resolution on applying the administrative arrest sanction or disposition - within 3 days from the date of its receipt. The Resolution of the Court and the official authorized to consider the complaint shall enter into force immediately after the Resolution was pronounced.</p>	
<p>Driver (Recording offences/tachograph)</p> <p>EU legislation</p> <p>Failure to use EU tachograph - verbal warning</p> <p>Failure to use EU tachograph - licence withdrawal</p> <p>Failure to use EU tachograph - fine</p> <p>Failure to use tachograph - verbal warning</p> <p>Failure to use tachograph - licence withdrawal</p> <p>Failure to use tachograph - fine</p>										<p>2) The Resolution which entered into force may be reviewed if it had been imposed before its validity, or in compliance with the administrative appeal. The complaint should be made to the Court authorized to review the Resolution. The complaint (should) may be lodged within 10 days from the date of entering into force of the Resolution. The complaint against the Resolution which entered into force shall be considered within a period not exceeding one month from the date of its receipt.</p>	
<p>Vehicle registration</p> <p>Commission of offence in relation to the registration of vehicles and rest periods of the vehicle participating in international road transport (Part 2 of article 11.21 of the Republic of Belarus Administrative Offences)</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - verbal warning</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - fine</p>										<p>Article immobilisation. Verbal warning. Fine on driving the territory of the Republic of Belarus of the amount of administrative penalty depending on the performance of the international road transport manager on the performance of the international road transport manager on the territory of the Republic of Belarus, approved by the Resolution of the Council of Ministers of Belarus dated 30.05.2008 No 770.</p>	
<p>EU legislation</p> <p>Other EU company and requirements relating to tachograph - verbal warning</p> <p>Other EU company and requirements relating to tachograph - fine</p>											
<p>Vehicle registration</p> <p>Commission of offence in relation to the registration of vehicles and rest periods of the vehicle participating in international road transport (Part 3 of article 11.21 of the Republic of Belarus Administrative Offences)</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - verbal warning</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - fine</p>										<p>Article immobilisation. Verbal warning. Fine on driving the territory of the Republic of Belarus of the amount of administrative penalty depending on the performance of the international road transport manager on the performance of the international road transport manager on the territory of the Republic of Belarus, approved by the Resolution of the Council of Ministers of Belarus dated 30.05.2008 No 770.</p>	
<p>EU legislation</p> <p>Other EU company and requirements relating to tachograph - verbal warning</p> <p>Other EU company and requirements relating to tachograph - fine</p>											
<p>Vehicle registration</p> <p>Commission of offence in relation to the registration of vehicles and rest periods of the vehicle participating in international road transport (Part 4 of article 11.21 of the Republic of Belarus Administrative Offences)</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - verbal warning</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - fine</p>										<p>Article immobilisation. Verbal warning. Fine on driving the territory of the Republic of Belarus of the amount of administrative penalty depending on the performance of the international road transport manager on the performance of the international road transport manager on the territory of the Republic of Belarus, approved by the Resolution of the Council of Ministers of Belarus dated 30.05.2008 No 770.</p>	
<p>EU legislation</p> <p>Other EU company and requirements relating to tachograph - verbal warning</p> <p>Other EU company and requirements relating to tachograph - fine</p>											
<p>Vehicle registration</p> <p>Commission of offence in relation to the registration of vehicles and rest periods of the vehicle participating in international road transport (Part 5 of article 11.21 of the Republic of Belarus Administrative Offences)</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - verbal warning</p> <p>Commission of offence in relation to the registration of vehicles and rest periods - fine</p>										<p>Article immobilisation. Verbal warning. Fine on driving the territory of the Republic of Belarus of the amount of administrative penalty depending on the performance of the international road transport manager on the performance of the international road transport manager on the territory of the Republic of Belarus, approved by the Resolution of the Council of Ministers of Belarus dated 30.05.2008 No 770.</p>	
<p>EU legislation</p> <p>Other EU company and requirements relating to tachograph - verbal warning</p> <p>Other EU company and requirements relating to tachograph - fine</p>											
<p>Any other offences regarding the questionnaire</p> <p>The Republic of Belarus Code on Administrative Offences, State control direction between very minor, serious and minor offences.</p> <p>The Republic of Belarus Code on Administrative Offences, State control direction between very minor, serious and minor offences.</p> <p>The Republic of Belarus Code on Administrative Offences, State control direction between very minor, serious and minor offences.</p>										<p>The information about infringements of the provisions of carrying out the international road transport, made by the Ministry of Transport and Communications of the Republic of Belarus shall be sent to the Republic of Belarus Ministry of Transport and Communications, by the Transport Inspector with the indication of the Administrative penalties imposed on. The Ministry of Transport and Communications shall submit proposals on applying measures provided for these infringements to international operators of the Republic of Belarus. To the competent Authorities of the countries where the road transport operators (drivers) were registered.</p>	