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 Reput Contact person: Fran	olic of Belarus ko Irins Email: frankol@ban ADMINISTRATIVE#NA	nap.org NCIAL/PENAL SAN	CTIONS IN CASE O	OF NON-COMP	LANCE WITH DRIVER RE	CORDS, TACHO	GRAPH AND REST PER	IOD REGULATIONS FO	OR INTERNATIONAL RO	DAD TRANSPORT OPE	RATIONS		
			SANCTIONS										
		PERSONS S	ANCTIONED								COMPROMISE SETTLEMENT Amount of reduced fine if paid on the spot		TIME LIMIT FOR APPEAL
	DEFINITION OF OFFENCES				Administrati	ve sanctions			Financial sanctions	Penal sanctions	a pass on the apo.		
		Driver	Company	Verbal wanning	Points recorded against driver's licence	Licence withdrawal	Vehicle immobilisation	Disqualification for transport manager	Max Sine	Max prison sentence		Admin procedure (please provide number of days of appeal period	Legal proceedings (please provide number of days of appeal period and name legal act)
Oriving hours and rest period offences EU legislation								manager				appeal period	and name legal act)
EU legislation Contravention of EU rules regarding driving and res periods - very serious												According to the Republ	ic of Belanus Procedural and Administrative Code on Administrative Offences:
periods - very serious offence Contravention of EU rules regarding driving and res periods - serious offence												1) The Complaint against a administrative proceeds	sctions and decisions of the judge, of the official of the body running the age may be lodged during the Administrative process still the Resolution on an resolvation - Resolution) is passed. The Complains should be considered within 5 copt.
												days from the date of its re 2) The Resolution of the	Copt. Authority running the administrative proceedings should be appealed to a higher of or to the Court. Resolution of the Court should be appealed to the higher Court.
Contravention of EU rules regarding driving and resi periods - minor offence												Authority (the higher officer	r) or to the Court. Resolution of the Court should be appealed to the higher Court.
National legislation Contravention of nationa naies regarding driving and rest periods - serious	Contravention of prescribed driving and rest periods by the driver of the vehicle performing						vehicle immobilization, ban on leaving the		line ranging from 4 up to 25 basic rates**				
offence	the road transportation (Part 2 of Article 1825 of the Republic of Belanus Code on Administrative Offences)*						sehicle immobilization, ban on leaving the territory of the Republic of Belease till be termination of administrative proceedings or the execution of the administrative penalty (tem 8 of the Regulations on monitorion the						
Contravation of rations	Administrative Offences)*						proceedings or the execution of the administrative penalty					The Complaint (appeal) ag	painst the Resolution may be lodged within 10 days from the date of obtaining a copy
rules regarding driving and rest periods - mino offence							Regulations on monitoring the performance of the					of the Resolution, but if the administrative proceedings pronounced, except for a C decorption, which may be	parest the interactions that ye is object within 1 or clay from the class or occasing a copy. Recellation was being passed in the presence of the person included in the the Compilair may be lodged within 10 days from the date when the Resolution was Compilair (appeal) against a decision to apply the administrative arrest sunction or lodged within 5 days.
							Regulations on monitoring the performance of the international road transportations on the territory of the Republic of Belevax, approved by the Resolution of the Republic of Belanus Council of Melaters dated 30.05.2008 No 770)						Resolution shall be considered within 1 month from the date of its receipt and the shallow on applying the administrative arrest senction or deportation—within 2 days. The Resolution of the Court and of the official artherized to consider the complaint, ediably after the Resolution was pronounced.
							Belarus, approved by the Resolution of the Republic of Belarus Council of Moleters					from the date of its receipt, shall enter into force imme	The Resolution of the Court and of the official authorized to consider the complaint, edately after the Resolution was pronounced.
							dated 30.05.2008 Nr 776)					•	
Oriver recording offences (tachograph)												-	
CU legislation													
Failure to use EU required recording equipment (suchagraph) - very												The Resolution which e accordance with the attorn Resolution. The cover-	entered into force may be reviewed if it had been opposed before its validation, or in sy speak. The complain (popula) is sent to the Court authorized to review the valid (popula) may be doped within 6 months from the date of entering into force of the (popula) against the Resolution which entered into force shall be considered within a month from the date of its receipt.
												Resolution. The complaint period not exceeding one to	(appeal) against the Resolution which entered into force shall be considered within a north from the date of its receipt.
Failure to use EU required recording equipment (schograph) - serious offence Failure to use EU required recording equipment (schograph) - minou offence National includation				-									
recording equipment (tachograph) - mino offence National legislation				<u> </u>									
Failure to use recording equipment and/or to record activities as required by national rules (secord books) - very	Orling a vehicle without the control device (sachograph) or with the turned of tachograph as well as with unfilled tachograms or without keeping succed sheets regarding divising and rest periods, during performing the international tand transportation (Part 1 of Arricle 16.26 of the Republic of Bellenux Code on						sehicle invenbilisation, ban on issuing the serritory of the Republic of Beleura sit the serritorion of administrative proceedings or the secuciation of the administrative penalty (herm 8 of the Regulations on monitoring the performance of the international road transportations on the serritory of the Republic of		tine ranging from 20 up to 50 basic rates**				
(record books) - very serious offence Failure to use recording	tachograms or without keeping record sheets regarding driving and rest periods, during						termination of administrative proceedings or the						
(second books) - we, serious oblence. Failure to use recording equipment and/or to record activities as required by realonal rules (second books) - serious disease. Failure to use recording equipment and/or to record activities as required by realonal rules (second books) - mino offence.	performing the international road transportation (Part 1 of Article 18.26 of the Republic of						execution of the administrative penalty (tem ill of the						
(record books) - serious offence Failure to use recording equipment and/or to	Belarus Code on Administrative Offences)*						Regulations on monitoring the performance of the international mod						
record activities as required by national rules (record books) - mino							transportations on the territory of the Republic of Belarus, approved by the						
offence							transportations on the territory of the Republic of Belanus, approved by the Resolution of the Republic of Belanus Council of Ministers dated 30.05.2008 Nr 770)						
							dated 30.05.2008 Nr 776)						
EU legislation Failing to comply with requirements relating to preserving EU records to													
repector National legislation													
Faling to comply with requirements relating to preserving rational procedular instruction													
Other Infringements Obstructing an inspecting officer at checkpoint													
Failure to stop a checkpoint													
Falure to follow officer instructions	Failure of the person driving the vehicle to follow requirements of the Internal Affairs Bodies officer to stop the vehicle (Part 1 Article of \$8.21 of the Republic of Belanus Code on Administrative Offences)						vehicle immobilisation, ban on leaving the territory of the Depublic of		fine ranging from 2 up to 10 basic rates**				
	Affairs Bodies officer to stop the vehicle (Part 1 Article of 18.21 of the Republic of						Belarus til the termination of administrative						
	Belarus Code on Administrative Offences)						proceedings or the execution of the administrative penalty						
							Regulations on monitoring the performance of the						
							International road transportations on the territory of the Republic of Salanus arrowment by the						
							adicia invasibilization, tan on leaving the servinery of the Republic of Behava sit the servinery of the Republic of Behava sit the servines of the servines of the administration and servines of the administration penalty (lieum is of the controller) or the controller of the servines of the Republic on the servines of the Servines on the servines of the Republic of Behava. Sproved of the Republic Council of Ministers dated 20.05.2008 Nr 770)						
	Failure of the person driving the vehicle to follow repeated requirements of the Internal						whicle immobilization, ban on leaving the territory of the Republic of		line ranging from 6 up to 20 basic rates or driving ban for up to one year"				
	Failure of the person driving the vehicle to follow repeated requirements of the Internal Affairs Bodies officer to stop the vehicle (Part 2 of Article 19.21 of the Republic of Belarus Code on Administrative Offences)						ban on leaving the sentiory of the Republic of Belanus till the termination of administrative proceedings or the						
	Administrative Offences)						execution of the administrative penalty (tem ill of the						
							Regulations on monitoring the performance of the						
							semination of administration of administration proceedings or the seaccution of the administration penalty [term 8 of the Regulations on monitoring the performance of the international road transportations on the territory of the Regulation Bealeurs, approved by the Regulation of Bealeurs, Council of Ministers dated 30.05.2008 Ne 776).						
							Resolution of the Republic of Belanus Council of Ministers						
							umela 30.05.2008 Nr 776)						
	Disobedience of the person not subordinated to the official of						sehicle immobilization, ban on leaving the		line ranging from 20 up to 50 basic rates or administrative arrest "				
	Disobedience of the person not subordinated to the official of the state body to the lawful order or requirement of the official during fulfilling his official durins (Article 22.4 of the Republic of Belanus Code on Administrative Offences)						ban on leaving the sentiory of the Republic of Belanus till the termination of administrative		soministrative arrest "				
	the Republic of Belanus Code on Administrative Offences)						administrative proceedings or the securion of the administrative penalty (Bern Bit of the Regulations on monitoring the performance of the international road transportations on the territory of the Regulatic of Belaux, accorded by the						
							Regulations on Regulations on marketing the						
		•					per crimance of the international road transportations on the territory of the Republic of						
							Belanus, approved by the Resolution of the Republic of Belanus Council of Ministers dated 30.05.2008 Ne 775)						
							Louncil of Ministers dated 30.05.2008 Nr 775)						
Any other	*The Republic of Belsrus Code minor offences.	on Administrative Offe	nces does not make o	distinction between	n very serious, serious and								
Any other comments regarding this questionnaire, please add here	"The basic rate as of October 4 Belarus according to inflative. To	4th, 2010 amounts to 3 he exchange rate z= ~	5 000 BYB, but it is ch October 4th. 2010 fin	unged by the Go	vernment of the Republic of I Bank of the Republic of								
	"The basic rate as of October 4th, 2010 amounts to 25 000 BYIS, but it is changed by the Government of the Republic of Belowar scording to inflation. This exchange rate as of October 4th, 2010 feed by the National Basic of the Republic of Belowar as 1 1022. 2019 2019 115, 1 pages 4 117 at 217 at 117												
	The information about infringements of the procedure of casing-out the international count insequentation made by the brings transport operator and/or in it after on the interny that Republic of Behavior that is sent to the Republic of Behavior that the process of the Behavior of the Republic of the Republic of the Republic of Behavior of the Republic of the Republic of the Republic of the R												
L	where the road transport operat	tors (drivers) were reg	stered.							<u></u>			<u> </u>