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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part

TRANSPORT OF GOODS BY ROAD

PART A

REQUIREMENTS FOR ROAD HAULAGE OPERATORS
IN ACCORDANCE WITH ARTICLE 463 OF THIS AGREEMENT

SECTION 1

ADMISSION TO, AND THE PURSUIT OF,
THE OCCUPATION OF ROAD HAULAGE OPERATOR

ARTICLE 1

Scope

This Section governs admission to, and the pursuit of, the occupation of road haulage operator and shall apply to all road haulage operators of a Party engaged in the transport of goods within the scope of Article 462 of this Agreement.

ARTICLE 2

Definitions

For the purposes of this Section, the following definitions apply:

- (a) "authorisation to pursue the occupation of road haulage operator" means an administrative decision which authorises a natural or legal person who fulfils the conditions laid down in this Section to pursue the occupation of road haulage operator;
- (b) "competent authority" means a national, regional or local authority in a Party which, for the purpose of authorising the pursuit of the occupation of road haulage operator, verifies whether a natural or legal person fulfils the conditions laid down in this Section, and which is empowered to grant, suspend or withdraw an authorisation to pursue the occupation of road haulage operator; and
- (c) "normal residence" means the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal ties which show close links between that person and the place where that person is living.

ARTICLE 3

Requirements for engagement in the occupation of road haulage operator

Natural or legal persons engaged in the occupation of road haulage operator shall:

- (a) have an effective and stable establishment in a Party as laid down in Article 5 of this Section;
- (b) be of good repute as laid down in Article 6 of this Section;
- (c) have appropriate financial standing as laid down in Article 7 of this Section; and
- (d) have the requisite professional competence as laid down in Article 8 of this Section.

ARTICLE 4

Transport manager

1. A road haulage operator shall designate at least one natural person to be the transport manager, who effectively and continuously manages its transport activities and fulfils the requirements set out in points (b) and (d) of Article 3 and who:
 - (a) has a genuine link to the road haulage operator, such as being an employee, director, owner or shareholder or administering it, or is that person; and

- (b) is resident in the Party in the territory of which the road haulage operator is established.
2. If a natural or legal person does not fulfil the requirement of professional competence, the competent authority may authorise the natural or legal person to engage in the occupation of road haulage operator without designating a transport manager in accordance with paragraph 1, provided that:
- (a) the natural or legal person designates a natural person residing in the Party of establishment of the road haulage operator who fulfils the requirements laid down in points (b) and (d) of Article 3 and who is entitled under contract to carry out duties as transport manager on behalf of the undertaking;
 - (b) the contract linking the natural or legal person with the person referred to in point (a) specifies the tasks to be performed on an effective and continuous basis by that person and indicates that person's responsibilities as transport manager. The tasks to be specified 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;
 - (c) in his or her capacity as transport manager, the person referred to in point (a) may manage the transport activities of up to four different road haulage operators carried out with a combined maximum total fleet of 50 vehicles; and
 - (d) the person referred to in point (a) performs the specified tasks solely in the interests of the natural or legal person and that person's responsibilities are exercised independently of any natural or legal persons for which it carries out transport operations.

3. A Party may decide that a transport manager designated in accordance with paragraph 1 may not in addition be designated in accordance with paragraph 2, or may only be so designated in respect of a limited number of natural or legal persons or a fleet of vehicles that is smaller than that referred to in point (c) of paragraph 2.
4. The natural or legal person shall notify the competent authority of the transport manager or managers designated.

ARTICLE 5

Conditions relating to the requirement of establishment

In order to fulfil the requirement of effective and stable establishment in the Party of establishment, a natural or legal person shall:

- (a) have premises at which it is able to access the originals of its core business documents, whether in electronic or any other form in particular its transport contracts, documents relating to the vehicles at the disposal of the natural or legal person, accounting documents, personnel management documents, labour contracts, social security documents, documents containing data on the dispatching and posting of drivers, documents containing data relating to journeys, driving time and rest periods, and any other document to which the competent authority must have access in order to verify compliance with the conditions laid down in this Section;
- (b) be registered in the register of commercial companies of that Party or in a similar register whenever required under national law;

- (c) be subject to tax on revenues and, whenever required under national law, have assigned a VAT identification number;
- (d) once an authorisation has been granted, have at its disposal one or more vehicles which are registered or put into circulation and authorised to be used in conformity with the legislation of that Party, regardless of whether those vehicles are wholly owned or, for example, are held under a hire-purchase agreement or under a hire or leasing contract;
- (e) effectively and continuously conduct its administrative and commercial activities with the appropriate equipment and facilities at premises as referred to in point (a) situated in that Party and manage effectively and continuously its transport operations using the vehicles referred to in point (f) with the appropriate technical equipment situated in that Party; and
- (f) on an ongoing basis, have at its regular disposal a number of vehicles complying with the conditions laid down in point (d) and drivers normally based at an operational centre in that Party, proportionate to the volume of transport operations carried out by the undertaking.

ARTICLE 6

Conditions relating to the requirement of good repute

1. Subject to paragraph 2, the Parties shall determine the conditions to be met by natural or legal persons and transport managers in order to fulfil the requirement of good repute.

In determining whether a natural or legal person has fulfilled that requirement, the Parties shall consider the conduct of the natural or legal person, its transport managers, executive directors and any other relevant person as may be determined by the Party. Any reference in this Article to convictions, penalties or infringements shall include convictions, penalties or infringements of the natural or legal person itself, its transport managers, executive directors and any other relevant person as may be determined by the Party.

The conditions referred to in this paragraph shall include at least the following:

- (a) that there be no compelling grounds for doubting the good repute of the transport manager or the road haulage operator, 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 road haulage operator have not in one or both Parties been convicted of a serious criminal offence or incurred a penalty for a serious infringement of the rules of Title I of Heading Three of Part Two of this Agreement or of national 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 motor vehicles;
 - (v) access to the market in international road haulage;
 - (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; and
- (xiii) journeys whose points of loading and unloading are situated in the other Party.

2. For the purposes of point (b) of the third subparagraph of paragraph 1 of this Article, where the transport manager or the road haulage operator has been convicted of a serious criminal offence or has incurred a penalty for one of the most serious infringements as set out in Appendix 31-A-1-1 in one or both Parties, the competent authority in the Party of establishment shall carry out and complete in an appropriate and timely manner an administrative procedure, which shall include, if appropriate, an on-site inspection at the premises of the natural or legal person concerned.

During the administrative procedure, the competent authority shall assess whether, due to specific circumstances, the loss of good repute would constitute a disproportionate response in the individual case. In that assessment, the competent authority shall take into account the number of serious infringements of the rules as referred to in the third subparagraph of paragraph 1 of this Article, as well as the number of most serious infringements as set out in Appendix 31-A-1-1 for which the transport manager or the road haulage operator have been convicted or had penalties imposed on them. Any such finding shall be duly reasoned and justified.

Where the competent authority finds that the loss of good repute would be disproportionate, it shall decide that the natural or legal person concerned continues to be of good repute. Where the competent authority does not find that the loss of good repute would be disproportionate, the conviction or penalty shall lead to the loss of good repute.

3. The Specialised Committee on Road Transport shall draw up a list of categories, types and degrees of seriousness of serious infringements which, in addition to those set out in Appendix 31-A-1-1, may lead to the loss of good repute.
4. The requirement of good repute shall not be fulfilled until a rehabilitation measure or any other measure having an equivalent effect has been taken pursuant to the relevant provisions of national law of the Parties.

ARTICLE 7

Conditions relating to the requirement of financial standing

1. In order to fulfil the requirement of financial standing, a natural or legal person shall, on a permanent basis, be able to meet its financial obligations in the course of the annual accounting year. The natural or legal person shall demonstrate, on the basis of annual accounts certified by an auditor or a duly accredited person, that, every year, it has at its disposal capital and reserves:
 - (a) totalling at least EUR 9 000 / GBP 8 000 when only one motor vehicle is used, EUR 5 000 / GBP 4 500 for each additional motor vehicle or combination of vehicles used that has a permissible laden mass exceeding 3.5 tonnes and EUR 900 / GBP 800 for each additional motor vehicle or combination of vehicles that has a permissible laden mass, exceeding 2.5 tonnes but not 3.5 tonnes;

- (b) natural or legal persons engaged in the occupation of road haulage operator solely by means of motor vehicles or combinations of vehicles that have a permissible laden mass exceeding 2.5 tonnes but not 3.5 tonnes shall demonstrate, on the basis of annual accounts certified by an auditor or a duly accredited person, that, every year, they have at their disposal capital and reserves totalling at least EUR 1 800 / GBP 1 600 when only one vehicle is used and EUR 900 / GBP 800 for each additional vehicle used.
2. By way of derogation from paragraph 1, the competent authority may agree or require that an undertaking demonstrate its financial standing by means of a certificate determined by the competent authority, such as a bank guarantee or an insurance, including a professional liability insurance from one or more banks or other financial institutions including insurance companies or another binding document providing a joint and several guarantee for the undertaking in respect of the amounts specified in point (a) of paragraph 1.
 3. By way of derogation from paragraph 1, in the absence of certified annual accounts for the year of an undertaking's registration, the competent authority shall agree that an undertaking is to demonstrate its financial standing by means of a certificate, such as a bank guarantee, a document issued by a financial institution establishing access to credit in the name of the undertaking, or another binding document as determined by the competent authority proving that the undertaking has at its disposal the amounts specified in point (a) of paragraph 1.
 4. The annual accounts referred to in paragraph 1, and the guarantee referred to in paragraph 2, which are to be verified, are those of the economic entity established in the Party in which an authorisation has been applied for and not those of any other entity established in the other Party.

ARTICLE 8

Conditions relating to the requirement of professional competence

1. In order to satisfy the requirement of professional competence, the person or persons concerned shall possess knowledge corresponding to the level provided for in Part I of Appendix 31-A-1-2 in the subjects listed therein. That knowledge shall be demonstrated by means of a compulsory written examination which, if a Party so decides, may be supplemented by an oral examination. Those examinations shall be organised in accordance with Part II of Appendix 31-A-1-2. To this end, a Party may decide to impose training prior to the examination.
2. The persons concerned shall sit the examination in the Party in which they have their normal residence.
3. Only the authorities or bodies duly authorised for this purpose by a Party, in accordance with criteria defined by it, may organise and certify the written and oral examinations referred to in paragraph 1 of this Article. The Parties shall regularly verify that the conditions under which those authorities or bodies organise the examinations are in accordance with Appendix 31-A-1-2.
4. A Party may exempt the holders of certain higher education qualifications or technical education qualifications issued in that Party, specifically designated to this end and entailing knowledge of all the subjects listed in Appendix 31-A-1-2 from the examination in the subjects covered by those qualifications. The exemption shall only apply to those Sections of Part I of Appendix 31-A-1-2 for which the qualification covers all subjects listed under the heading of each Section.

A Party may exempt from specified parts of the examinations holders of certificates of professional competence valid for national transport operations in that Party.

ARTICLE 9

Exemption from examination

For the purpose of granting a licence to a road haulage operator which only operates motor vehicles or combinations of vehicles the permissible laden mass of which does not exceed 3.5 tonnes, a Party may decide to exempt from the examinations referred to in Article 8(1) persons who provide proof that they have continuously managed, for the period of ten years before 20 August 2020, a natural or legal person of the same type.

ARTICLE 10

Procedure for the suspension and withdrawal of authorisations

1. Where a competent authority establishes that a natural or legal person runs the risk of no longer fulfilling the requirements laid down in Article 3, it shall notify the natural or legal person thereof. Where a competent authority establishes that one or more of those requirements is no longer satisfied, it may set one of the following time limits for the natural or legal person to rectify the situation:
 - (a) a time limit not exceeding 6 months, which may be extended by 3 months in the event of the death or physical incapacity of the transport manager, for the recruitment of a replacement transport manager where the transport manager no longer satisfies the requirement as to good repute or professional competence;

- (b) a time limit not exceeding 6 months where the natural or legal person has to rectify the situation by demonstrating that the natural or legal person has an effective and stable establishment; or
 - (c) a time limit not exceeding 6 months where the requirement of financial standing is not satisfied, in order to demonstrate that that requirement is again satisfied on a permanent basis.
2. The competent authority may require a natural or legal person whose authorisation has been suspended or withdrawn to ensure that its transport managers have passed the examinations referred to in Article 8(1) prior to any rehabilitation measure being taken.
 3. If the competent authority establishes that the natural or legal person no longer satisfies one or more of the requirements laid down in Article 3, it shall suspend or withdraw the authorisation to engage in the occupation of road haulage operator within the time limits referred to in paragraph 1 of this Article.

ARTICLE 11

Declaration of unfitness of the transport manager

1. Where a transport manager loses good repute in accordance with Article 6, the competent authority shall declare that transport manager unfit to manage the transport activities of a road haulage operator.

The competent authority shall not rehabilitate the transport manager earlier than one year from the date of the loss of good repute and before the transport manager has demonstrated to have followed appropriate training for a period of at least 3 months or an exam on the subjects listed in Part I of Appendix 31-A-1-2.

2. Where a transport manager loses good repute in accordance with Article 6, an application for rehabilitation may be introduced after no less than one year from the date of the loss of good repute.

ARTICLE 12

Examination and registration of applications

1. The competent authorities in each Party shall record in the national electronic registers referred to in Article 13(1) the data relating to undertakings which they authorise.
2. When assessing the good repute of an undertaking, the competent authorities shall verify, whether at the time of the application the designated transport manager or managers are declared, in one of the Parties, unfit to manage the transport activities of an undertaking pursuant to Article 11.
3. The competent authorities shall regularly monitor whether undertakings which they have authorised to engage in the occupation of road haulage operators continue to fulfil the requirements referred to in Article 3. To that end, the competent authorities shall carry out checks, including, where appropriate, on-site inspections at the premises of the undertaking concerned, targeting those undertakings which are classed as posing an increased risk.

ARTICLE 13

National electronic registers

1. The competent authorities shall keep a national electronic register of road transport undertakings which have been authorised to engage in the occupation of road haulage operator.
2. The Specialised Committee on Road Transport shall establish the data contained in the national registers of road transport undertakings and the conditions of access to this data.

ARTICLE 14

Administrative cooperation between the competent authorities

1. The competent authorities in each Party shall designate a national contact point responsible for the exchange of information with the competent authorities of the other Party with regard to the application of this Section.
2. The competent authorities in each Party shall cooperate closely and shall swiftly provide one another with mutual assistance and with any other relevant information in order to facilitate the implementation and enforcement of this Section.

3. The competent authorities in each Party shall carry out individual checks to verify whether an undertaking meets the conditions governing admission to the occupation of road haulage operator whenever a competent authority in the other Party so requests in duly justified cases. It shall inform the competent authority in the other Party of the results of such checks and of the measures taken if it is established that the undertaking no longer fulfils the requirements laid down in this Section.
4. The competent authorities in each Party shall exchange information on convictions and penalties for any serious infringements referred to in Article 6(2).
5. The Specialised Committee on Road Transport shall establish detailed rules on the modalities of the exchange of information referred to in paragraphs 3 and 4.

MOST SERIOUS INFRINGEMENTS FOR THE PURPOSE
OF ARTICLE 6(2) OF SECTION 1 OF PART A OF ANNEX 31

1. Exceeding time limits as follows:
 - (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 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 goods without holding a valid driving licence or carrying by an undertaking not holding a valid operator's licence as referred to in Article 463 of this Agreement.
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.

PART I

LIST OF SUBJECTS REFERRED TO IN ARTICLE 8 OF SECTION 1
OF PART A OF ANNEX 31

The knowledge to be taken into consideration for the official recognition of professional competence by the Parties must cover at least the subjects listed below. In relation to those subjects, applicant road haulage operators must have the levels of knowledge and practical aptitude necessary for the management of a transport undertaking.

The minimum level of knowledge, as indicated below, must correspond at least to the level of knowledge acquired during the course of compulsory education, which is supplemented either by vocational training and supplementary technical training or by secondary school or other technical training.

A. Civil law

The applicant must, in particular:

- (a) be familiar with the main types of contract used in road transport and with the rights and obligations arising therefrom;

- (b) be capable of negotiating a legally valid transport contract, notably with regard to conditions of carriage;
- (c) be able to consider a claim by the applicant's principal regarding compensation for loss of or damage to goods during transportation or for their late delivery, and to understand how such a claim affects the applicant's contractual liability; and
- (d) be familiar with the rules and obligations arising from the CMR Convention on the Contract for the International Carriage of Goods by Road, done in Geneva on 19 May 1956.

B. Commercial law

The applicant must, in particular:

- (a) be familiar with the conditions and formalities laid down for plying the trade, the general obligations incumbent upon transport operators (registration, record keeping, etc.) and the consequences of bankruptcy; and
- (b) have appropriate knowledge of the various forms of commercial companies and the rules governing their constitution and operation.

C. Social law

The applicant must, in particular, be familiar with the following:

- (a) the role and function of the various social institutions which are concerned with road transport (trade unions, works councils, shop stewards, labour inspectors, etc.);

- (b) the employers' social security obligations;
- (c) the rules governing work contracts for the various categories of worker employed by road transport undertakings (form of the contracts, obligations of the parties, working conditions and working hours, paid leave, remuneration, breach of contract, etc.);
- (d) the rules applicable to driving time, rest periods and working time, and the practical measures for applying those provisions; and
- (e) the rules applicable to the initial qualification and continuous training of drivers laid down in Section 1 of Part B of this Annex.

D. Fiscal law

The applicant must, in particular, be familiar with the rules governing:

- (a) value added tax (VAT) on transport services;
- (b) motor-vehicle tax;
- (c) the taxes on certain road haulage vehicles and tolls and infrastructure user charges; and
- (d) income tax.

E. Business and financial management

The applicant must, in particular:

- (a) be familiar with the laws and practices regarding the use of cheques, bills of exchange, promissory notes, credit cards and other means or methods of payment;
- (b) be familiar with the various forms of credit (bank credit, documentary credit, guarantee deposits, mortgages, leasing, renting, factoring, etc.) and the charges and obligations arising therefrom;
- (c) know what a balance sheet is, how it is set out and how to interpret it;
- (d) be able to read and interpret a profit and loss account;
- (e) be able to assess the undertaking's profitability and financial position, in particular on the basis of financial ratios;
- (f) be able to prepare a budget;
- (g) be familiar with the cost elements of the undertaking (fixed costs, variable costs, working capital, depreciation, etc.), and be able to calculate costs per vehicle, per kilometre, per journey or per tonne;
- (h) be able to draw up an organisation chart relating to the undertaking's personnel as a whole and to organise work plans, etc.;

- (i) be familiar with the principles of marketing, publicity and public relations, including transport services, sales promotion and the preparation of customer files, etc.;
- (j) be familiar with the different types of insurance relating to road transport (liability, accidental injury/life insurance, non-life and luggage insurance) and the guarantees and obligations arising therefrom;
- (k) be familiar with the applications of electronic data transmission in road transport;
- (l) be able to apply the rules governing the invoicing of road haulage services and know the meaning and implications of Incoterms; and
- (m) be familiar with the different categories of transport auxiliaries, their role, their functions and, where appropriate, their status.

F. Access to the market

The applicant must, in particular, be familiar with the following:

- (a) the occupational regulations governing road transport, industrial vehicle rental and subcontracting, and in particular the rules governing the official organisation of the occupation, admission to the occupation, authorisations for road transport operations, inspections and penalties;
- (b) the rules for setting up a road transport undertaking;

- (c) the various documents required for operating road transport services and the introduction of checking procedures to ensure that the approved documents relating to each transport operation, and in particular those relating to the vehicle, the driver, the goods and luggage are kept both in the vehicle and on the premises of the undertaking;
 - (d) the rules on the organisation of the market in road haulage services, as well as the rules on freight handling and logistics; and
 - (e) border formalities, the role and scope of T documents and TIR carnets, and the obligations and responsibilities arising from their use.
- G. Technical standards and technical aspects of operation

The applicant must, in particular:

- (a) be familiar with the rules concerning the weights and dimensions of vehicles in the Parties and the procedures to be followed in the case of abnormal loads which constitute an exception to these rules;
- (b) be able to choose vehicles and their components (chassis, engine, transmission system, braking system, etc.) in accordance with the needs of the undertaking;
- (c) be familiar with the formalities relating to the type approval, registration and technical inspection of these vehicles;
- (d) understand what measures must be taken to reduce noise and to combat air pollution by motor vehicle exhaust emissions;

- (e) be able to draw up periodic maintenance plans for the vehicles and their equipment;
- (f) be familiar with the different types of cargo-handling and loading devices (tailboards, containers, pallets, etc.) and be able to introduce procedures and issue instructions for loading and unloading goods (load distribution, stacking, stowing, blocking and chocking, etc.);
- (g) be familiar with the various techniques of "piggy-back" and roll-on roll-off combined transport;
- (h) be able to implement procedures to comply with the rules on the carriage of dangerous goods and waste;
- (i) be able to implement procedures to comply with the rules on the carriage of perishable foodstuffs, notably those arising from the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP); and
- (j) be able to implement procedures to comply with the rules on the transport of live animals.

H. Road safety

The applicant must, in particular:

- (a) know what qualifications are required for drivers (driving licence, medical certificates, certificates of fitness, etc.);

- (b) be able to take the necessary steps to ensure that drivers comply with the traffic rules, prohibitions and restrictions in force in the Parties (speed limits, priorities, waiting and parking restrictions, use of lights, road signs, etc.);
- (c) be able to draw up instructions for drivers to check their compliance with the safety requirements concerning the condition of the vehicles, their equipment and cargo, and concerning preventive measures to be taken;
- (d) be able to lay down procedures to be followed in the event of an accident and to implement appropriate procedures to prevent the recurrence of accidents or serious traffic offences; and
- (e) be able to implement procedures to properly secure goods and be familiar with the corresponding techniques.

PART II

ORGANISATION OF THE EXAMINATION

1. The Parties will organise a compulsory written examination which they may supplement by an optional oral examination to establish whether applicant road haulage operators have achieved the required level of knowledge in the subjects listed in Part I and in particular their capacity to use the instruments and techniques relating to those subjects and to fulfil the corresponding executive and coordination duties.

- (a) The compulsory written examination will involve two tests, namely:
 - (i) written questions consisting of either multiple choice questions (each with four possible answers), questions requiring direct answers or a combination of both systems; and
 - (ii) written exercises/case studies.

The minimum duration of each test will be two hours.

- (b) Where an oral examination is organised, the Parties may stipulate that participation is subject to the successful completion of the written examination.
2. Where the Parties also organise an oral examination, they must provide, in respect of each of the three tests, for a weighting of marks of a minimum of 25 % and a maximum of 40 % of the total number of marks to be given.

Where the Parties organise only a written examination, they must provide, in respect of each test, for a weighting of marks of a minimum of 40 % and a maximum of 60 % of the total number of marks to be given.

3. With regard to all the tests, applicants must obtain an average of at least 60 % of the total number of marks to be given, achieving in any given test not less than 50 % of the total number of marks possible. In one test only, a Party may reduce that mark from 50 % to 40 %.

PART A

LICENCE MODEL FOR THE UNION

EUROPEAN COMMUNITY

(a)

(Colour Pantone light blue 290, or as close as possible to this colour,
format DIN A4 cellulose paper 100 g/m² or more)

(First page of the licence)

(Text in (one of) the official language(s) of the Member State issuing the licence)

Distinguishing sign of the Member State⁽¹⁾ issuing the licence

Name of the competent authority or body

LICENCE No ...
or
CERTIFIED TRUE COPY No ...
for the international carriage of goods by road for hire or reward

This licence entitles⁽²⁾
.....
.....

to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys carried out for hire or reward within the territory of the Community, as laid down in Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 (OJ EU L 300, 14.11.2009, p. 72) on common rules for access to the international road haulage market and in accordance with the general provisions of this licence.

Particular remarks:	
.....	
This licence is valid from	to
Issued in,	on
..... ⁽³⁾	

- (1) The distinguishing signs of the Member States are: (B) Belgium, (BG) Bulgaria, (CZ) Czech Republic, (DK) Denmark, (D) Germany, (EST) Estonia, (IRL) Ireland, (GR) Greece, (E) Spain, (F) France, (HR) Croatia, (I) Italy, (CY) Cyprus, (LV) Latvia, (LT) Lithuania, (L) Luxembourg, (H) Hungary, (MT) Malta, (NL) Netherlands, (A) Austria, (PL) Poland, (P) Portugal, (RO) Romania, (SLO) Slovenia, (SK) Slovakia, (FIN) Finland, (S) Sweden.
- (2) Name or business name and full address of the haulier.
- (3) Signature and seal of the issuing competent authority or body.

(b)

(Second page of the licence)

(Text in (one of) the official language(s) of the Member State issuing the licence)

GENERAL PROVISIONS

This licence is issued under Regulation (EC) No 1072/2009.

It entitles the holder to engage in the international carriage of goods by road for hire or reward by any route for journeys or parts of journeys carried out within the territory of the Community and, where appropriate, subject to the conditions laid down herein:

- where the point of departure and the point of arrival are situated in two different Member States, with or without transit through one or more Member States or third countries,
- from a Member State to a third country or vice versa, with or without transit through one or more Member States or third countries,
- between third countries with transit through the territory of one or more Member States, and unladen journeys in connection with such carriage.

In the case of carriage from a Member State to a third country or vice versa, this licence is valid for that part of the journey carried out within the territory of the Community. It shall be valid in the Member State of loading or unloading only after the conclusion of the necessary agreement between the Community and the third country in question in accordance with Regulation (EC) No 1072/2009.

The licence is personal to the holder and is non-transferable.

It may be withdrawn by the competent authority of the Member State which issued it, notably where the holder has:

- not complied with all the conditions for using the licence,
- supplied incorrect information with regard to the data needed for the issue or extension of the licence.

The original of the licence must be kept by the haulage undertaking.

A certified copy of the licence must be kept in the vehicle⁽¹⁾. In the case of a coupled combination of vehicles it must accompany the motor vehicle. It covers the coupled combination of vehicles even if the trailer or semi-trailer is not registered or authorised to use the roads in the name of the licence holder or if it is registered or authorised to use the roads in another State.

The licence must be presented at the request of any authorised inspecting officer.

Within the territory of each Member State, the holder must comply with the laws, regulations and administrative provisions in force in that State, in particular with regard to transport and traffic.

⁽¹⁾ "Vehicle" means a motor vehicle registered in a Member State, or a coupled combination of vehicles the motor vehicle of which at least is registered in a Member State, used exclusively for the carriage of goods.

PART B

Licence model for the United Kingdom

UK Licence for the Community

(a)

(Colour Pantone light blue, format DIN A4 cellulose paper 100 g/m² or more)

(First page of the licence)

(Text in English or Welsh)



NAME OF THE UK COMPETENT AUTHORITY

⁽¹⁾

LICENCE No:


Or

CERTIFIED TRUE COPY No:

for the international carriage of goods by road for hire or reward

This licence entitles⁽²⁾

to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys carried out for hire or reward within the territory of a Member State as laid down in Regulation (EC) No 1072/2009⁽³⁾.

Particular remarks:	
.....	
This licence is valid from	to
Issued in	on
	

⁽¹⁾ Competent authority for the relevant region for which the certificate is issued.

⁽²⁾ Name or business name and full address of the haulier.

⁽³⁾ Regulation (EC) No 1072/2009 as retained in UK law by Section 3 of the European Union (Withdrawal) Act 2018 and as amended by regulations made under Section 8 of that Act.

(b)

(Second page of the licence)

(Text in English or Welsh)

GENERAL PROVISIONS

This licence is issued under Regulation (EC) No 1072/2009⁽¹⁾.

It entitles the holder to engage in the international carriage of goods by road for hire or reward by any route for journeys or parts of journeys carried out within the territory of a Member State permitted by any international agreement between the United Kingdom and the European Union or a Member State.

In the case of carriage from the United Kingdom to a third country or vice versa, this licence is valid for that part of the journey carried out within the territory of any Member State.

The licence is personal to the holder and is non-transferable.

It may be withdrawn by a traffic commissioner or the Department for Infrastructure (Northern Ireland), for example, where the holder has:

- not complied with all the conditions for using the licence,
- supplied incorrect information with regard to the data needed for the issue or extension of the licence.

The original of the licence must be kept by the haulage undertaking.

A certified copy of the licence must be kept in the vehicle⁽²⁾. In the case of a coupled combination of vehicles it must accompany the motor vehicle. It covers the coupled combination of vehicles even if the trailer or semi-trailer is not registered or authorised to use the roads in the name of the licence holder or if it is registered or authorised to use the roads in another State.

The licence must be presented at the request of any authorised inspecting officer.

Within the territory of the United Kingdom or each Member State, the holder must comply with the laws, regulations and administrative provisions in force in that State, in particular with regard to transport and traffic.

⁽¹⁾ Regulation (EC) No 1072/2009 as retained in UK law by Section 3 of the European Union (Withdrawal) Act 2018 and as amended by regulations made under Section 8 of that Act.

⁽²⁾ "Vehicle" means a motor vehicle registered in the United Kingdom or a Member State, or a coupled combination of motor vehicles the motor vehicle of which at least is registered in the United Kingdom or a Member State, used exclusively for the carriage of goods.

SECURITY FEATURES OF THE LICENCE

The licence must have at least two of the following security features:

- a hologram;
- special fibres in the paper which become visible under UV-light;
- at least one microprint line (printing visible only with a magnifying glass and not reproduced by photocopying machines);
- tactile characters, symbols or patterns;
- double numbering: serial number of the licence, of the certified copy thereof as well as, in each case, the issue number;
- a security design background with fine guilloche patterns and rainbow printing.

SECTION 2

POSTING OF DRIVERS

ARTICLE 1

Subject matter

This Section lays down requirements for road haulage operators established in one of the Parties which, in the framework of the transport of goods, post drivers to the territory of the other Party in accordance with Article 3 of this Section.

Nothing in this Section shall prevent a Party from applying measures to regulate the entry of natural persons into, or their temporary stay in, its territory, including measures necessary to protect the integrity of its borders and to ensure the orderly movement of natural persons across them, provided that such measures are not applied in such a manner as to nullify or impair the benefits accruing to the other Party under the terms of this Section. The sole fact of requiring a visa for natural persons of certain countries and not for those of others shall not be regarded as nullifying or impairing benefits under this Section.

Nothing in this Section shall affect the application on the Union territory of the Union rules on the posting of drivers in road transport to Union road haulage operators.

ARTICLE 2

Definitions

For the purposes of this Section, "posted driver" means a driver who, for a limited period, carries out his or her work in the territory of a Party other than the Party in which the driver normally works.

ARTICLE 3

Principles

1. The provisions of this Section apply to the extent that the road haulage operator posts drivers to the territory of the other Party on its account and under its direction, under a contract concluded between the road haulage operator making the posting and the party for whom the transport services are intended, and those drivers operate in the territory of that Party, provided that there is an employment relationship between the road haulage operator making the posting and the driver during the period of posting.
2. For the purposes of paragraph 1, a posting shall be considered to start when the driver enters the territory of the other Party for the loading and/or unloading of goods and to end when the driver leaves the territory of that Party.

For the purposes of paragraph 1, in the case of posting in the Union, a posting shall, be considered to start when the driver enters the territory of a Member State for the loading and/or unloading of goods in that Member State and to end when the driver leaves the territory of that Member State.

3. Notwithstanding the paragraphs 1 and 2, a driver shall not be considered to be posted when performing transport operations, based on a transport contract, as defined in point (a) of Article 462(1) of this Agreement.
4. A driver shall not be considered to be posted in the United Kingdom where the driver transits through the territory of the United Kingdom without loading or unloading of goods. For the Union, a driver shall not be considered to be posted in a Member State when the driver transits through the territory of that Member State without loading or unloading of goods.

ARTICLE 4

Terms and conditions of employment

1. Each Party shall ensure, irrespective of which law applies to the employment relationship, that road haulage operators guarantee, on the basis of equality of treatment, to drivers who are posted to their territory the terms and conditions of employment covering the following matters which, in the Party or, in the case of the Union, in the Member State where the work is carried out, are laid down:
 - by law, regulation or administrative provision, and/or

- by collective agreements or arbitration awards which have been declared universally applicable or otherwise apply in accordance with paragraph 4:
 - (a) maximum work periods and minimum rest periods;
 - (b) minimum paid annual leave;
 - (c) remuneration, including overtime rates; this point does not apply to supplementary occupational retirement pension schemes;
 - (d) health, safety and hygiene at work;
 - (e) protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people; and
 - (f) equality of treatment between men and women and other provisions on non-discrimination.

- 2. For the purposes of this Section, the concept of remuneration shall be determined by the national law and/or practice of the Party and, in the case of the Union, by the national law and/or practice of the Member State, to whose territory the driver is posted and means all the constituent elements of remuneration rendered mandatory by national law, regulation or administrative provision, or by collective agreements or arbitration awards which, in that Party or in that Member State, have been declared universally applicable or otherwise apply in accordance with paragraph 4.

3. Allowances specific to the posting shall be considered to be part of remuneration, unless they are paid in reimbursement of expenditure actually incurred on account of the posting, such as expenditure on travel, board and lodging. The road haulage operator shall reimburse the posted driver for such expenditure in accordance with the law and/or practice applicable to the employment relationship.

Where the terms and conditions of employment applicable to the employment relationship do not determine which elements of the allowance specific to the posting are paid in reimbursement of expenditure actually incurred on account of the posting or which are part of remuneration, then the entire allowance shall be considered to be paid in reimbursement of expenditure.

4. For the purpose of this Section, "collective agreements or arbitration awards which have been declared universally applicable" means collective agreements or arbitration awards which must be observed by all undertakings in the geographical area and in the profession or industry concerned.

In the absence of, or in addition to, a system for declaring collective agreements or arbitration awards to be of universal application within the meaning of the first subparagraph, each Party, or each Member State in the case of the Union, may, if they so decide, base themselves on:

- collective agreements or arbitration awards which are generally applicable to all similar undertakings in the geographical area and in the profession or industry concerned;
and/or

- collective agreements which have been concluded by the most representative employers' and labour organisations at national level and which are applied throughout national territory.

Equality of treatment, within the meaning of paragraph 1, shall be deemed to exist where national undertakings in a similar position:

- (i) are subject, in the place in question or in the sector concerned, to the same obligations as posting undertakings as regards the matters listed in the first subparagraph of paragraph 1; and
- (ii) are required to fulfil such obligations with the same effects.

ARTICLE 5

Improved access to information

1. Each Party or, in the case of the Union, each Member State shall publish the information on the terms and conditions of employment, in accordance with national law and/or practice, without undue delay and in a transparent manner, on a single official national website, including the constituent elements of remuneration as referred to in Article 4(2) and all the terms and conditions of employment in accordance with Article 4(1).

Each Party or, in the case of the Union, each Member State shall ensure that the information provided on the single official national website is accurate and up to date.

2. Each Party or, in the case of the Union, each Member State shall take the appropriate measures to ensure that the information mentioned in paragraph 1 is made generally available free of charge in a clear, transparent, comprehensive and easily accessible way at a distance and by electronic means, in formats and in accordance with web accessibility standards that ensure access to persons with disabilities and to ensure that competent national bodies are in a position to carry out their tasks effectively.
3. Where, in accordance with national law, traditions and practice, including respect for the autonomy of social partners, the terms and conditions of employment referred to in Article 4 are laid down in collective agreements in accordance with Article 4(1), each Party or, in the case of the Union, each Member State shall ensure that those terms and conditions are made available in an accessible and transparent way to service providers from the other Party and to posted drivers, and shall seek the involvement of the social partners in that respect. The relevant information should, in particular, cover the different minimum rates of pay and their constituent elements, the method used to calculate the remuneration due and, where relevant, the qualifying criteria for classification in the different wage categories.
4. Where, contrary to paragraph 1, the information on the single official national website does not indicate which terms and conditions of employment are to be applied, that circumstance shall be taken into account in accordance with national law and/or practice in determining penalties in the event of infringements to this Section, to the extent necessary to ensure the proportionality of those penalties.
5. Each Party or, in the case of the Union, each Member State shall indicate the bodies and authorities to which drivers and road haulage operators can turn for general information on national law and practice applicable to them concerning their rights and obligations within their territory.

ARTICLE 6

Administrative requirements, control and enforcement

1. Each Party or, in the case of the Union, each Member State may only impose the following administrative requirements and control measures with respect to the posting of drivers:
 - (a) an obligation for the operator established in the other Party to submit a posting declaration to the national competent authorities of the Party or, in the case of the Union, of the Member State to which the driver is posted at the latest at the commencement of the posting, using from 2 February 2022 a multilingual standard form of the public interface connected to the EU Internal Market Information System¹ for administrative cooperation (IMI); that posting declaration shall consist of the following information:
 - (i) the identity of the operator, at least in the form of the number of the valid licence where this number is available;
 - (ii) the contact details of a transport manager or other contact person in the Party of establishment or, in the case of the Union, in the Member State of establishment to liaise with the competent authorities of the host Party or in, the case of the Union, of the Member State in which the services are provided and to send out and receive documents or notices;

¹ Established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ("the IMI Regulation") (OJ EU L 316, 14.11.2012, p. 1).

- (iii) the identity, the address of the residence and the number of the driving licence of the driver;
 - (iv) the start date of the driver's contract of employment, and the law applicable to it;
 - (v) the envisaged start and end date of the posting; and
 - (vi) the number plates of the motor vehicles;
- (b) an obligation for the operator to ensure that the driver has at his or her disposal in paper or electronic form and an obligation for the driver to keep and make available when requested at the roadside:
- (i) a copy of the posting declaration submitted, via the IMI system from 2 February 2022;
 - (ii) evidence of the transport operations taking place in the host Party, such as an electronic consignment note (e-CMR); and
 - (iii) the tachograph records and in particular the country symbols of the Party or, in the case of the Union, of the Member State in which the driver was present when carrying out transport operations, in accordance with registration and record-keeping requirements under Section 2 of Part B and Section 4 of Part B;

- (c) an obligation for the operator to send, from 2 February 2022 via the public interface connected to the IMI system, after the period of posting, at the direct request of the competent authorities of the other Party or, in the case of the Union, of a Member State where the posting took place, copies of documents referred to in point (b)(ii) and (iii) of this paragraph as well as documentation relating to the remuneration of the driver in respect of the period of posting, the employment contract or an equivalent document, time-sheets relating to the driver's work, and proof of payments.

The operator shall send the documentation, from 2 February 2022 via the public interface connected to the IMI system, no later than eight weeks from the date of the request. If the operator fails to submit the requested documentation within that time period, the competent authorities of the Party or, in the case of the Union, the Member State where the posting took place may request, from 2 February 2022 via the IMI system, the assistance of the competent authorities of the Party of establishment or, in the case of the Union, the Member State of establishment. When such a request for mutual assistance is made, the competent authorities of the Party of establishment or, in the case of the Union, the Member State of establishment of the operator shall have access to the posting declaration and other relevant information submitted by the operator, from 2 February 2022 via the public interface connected to the IMI system.

The competent authorities of the Party of establishment or, in the case of the Union, of the Member State of establishment shall ensure that they provide the requested documentation to the competent authorities of the Party or, in the case of the Union, to the competent authorities of the Member State where the posting took place, from 2 February 2022 via the IMI system, within 25 working days from the day of the request for mutual assistance.

Each Party shall ensure that the information exchanged by the competent national authorities or transmitted to them shall be used only in respect of the matter or matters for which it was requested.

Mutual administrative cooperation and assistance shall be provided free of charge.

A request for information shall not preclude the competent authorities from taking measures to investigate and prevent alleged breaches of this Section.

3. For the purpose of ascertaining whether a driver is not to be considered to be posted pursuant to Article 1, each Party may only impose as a control measure an obligation for the driver to keep and make available, where requested at the roadside check, in paper or electronic form, the evidence of the relevant transport operations, such as an electronic consignment note (e-CMR), and tachograph records, as referred to in point (b)(iii) of paragraph 2 of this Article.
4. For the purposes of control, the operator shall keep the posting declarations referred to in point (a) of paragraph 2 up to date, from 2 February 2022 in the public interface connected to IMI.
5. The information from the posting declarations shall be saved, from 2 February 2022, in the IMI repository for the purpose of checks for a period of 24 months.
6. The Party or, in the case of the Union, the Member State to whose territory the driver is posted and the Party or, in the case of the Union, the Member State from which the driver is posted shall be responsible for the monitoring, control and enforcement of the obligations laid down in this Section and shall take appropriate measures in the event of failure to comply with this Section.

7. Each Party or, in the case of the Union, the Member States shall ensure that inspections and controls of compliance under this Article are not discriminatory and/or disproportionate, whilst taking into account the relevant provisions of this Section.
8. For the enforcement of the obligations under this Section, each Party or, in the case of the Union, the Member States shall ensure that there are effective mechanisms for posted drivers to lodge complaints against their employers directly, as well as the right to institute judicial or administrative proceedings, also in the Party in whose territory the drivers are or were posted, where such drivers consider they have sustained loss or damage as a result of a failure to apply the applicable rules, even after the relationship in which the failure is alleged to have occurred has ended.
9. Paragraph 8 shall apply without prejudice to the jurisdiction of the courts of each Party or, in case of the Union, the Member States as laid down, in particular, in the relevant instruments of Union law and/or international conventions.
10. Each Party or, in the case of the Union, the Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Section and shall take all measures necessary to ensure that they are implemented and complied with. The penalties provided for shall be effective, proportionate and dissuasive.

Each Party shall notify those provisions to the other Party by 30 June 2021. They shall notify without delay any subsequent amendments to them.

ARTICLE 7

Use of the IMI system

1. As from 2 February 2022, information, including personal data, referred to in Article 6 shall be exchanged and processed in the IMI system, provided that the following conditions are fulfilled:
 - (a) the Parties provide safeguards that data processed in the IMI system are only used for the purpose for which they were initially exchanged;
 - (b) any transfer of personal data to the United Kingdom under this Article may only take place in accordance with point (c) of Article 23(1) of Regulation (EU) No 1024/2012 of the European Parliament and of the Council¹; and
 - (c) any transfer of personal data to the Union under this Article may only take place in accordance with the data protection rules on international transfers of the United Kingdom.
2. The competent authorities in each Party shall grant and revoke appropriate access rights to IMI users.

¹ Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ("the IMI Regulation") (OJ EU L 316, 14.11.2012, p. 1).

3. IMI users are allowed to access personal data processed in the IMI system only on a need-to-know basis and exclusively for the purpose of implementation and enforcement of this Section.
4. Each Party or, in the case of the Union, each Member State, may allow the competent authority to provide national social partners by other means than the IMI system with relevant information available in the IMI system to the extent necessary for the purpose of checking compliance with posting rules and in accordance with national law and practices, provided that:
 - (a) the information relates to a posting to the territory of the Party or, in the case of the Union, of the Member State, concerned; and
 - (b) the information is used exclusively for the purpose of enforcing the posting rules.
5. The Specialised Committee on Road Transport shall set the technical and procedural specifications of the use of the IMI system by the United Kingdom.
6. Each Party shall participate in the operating costs of the IMI system. The Specialised Committee on Road Transport shall determine the costs to be borne by each Party.

PART B

REQUIREMENTS FOR DRIVERS INVOLVED IN THE TRANSPORT OF GOODS IN ACCORDANCE WITH ARTICLE 465 OF THIS AGREEMENT

SECTION 1

CERTIFICATE OF PROFESSIONAL COMPETENCE

ARTICLE 1

Scope

This Section applies to the activity of driving by anyone employed or used by a road haulage operator of a Party undertaking journeys referred to in Article 462 of this Agreement and using vehicles for which a driving licence of category C1, C1+E, C or C+E, or a driving licence recognised as equivalent by the Specialised Committee on Road Transport, is required.

ARTICLE 2

Exemptions

A certificate of professional competence (CPC) is not required for drivers of vehicles:

- (a) with a maximum authorised speed not exceeding 45 km/h;
- (b) used by, or under the control of, the armed forces, civil defence, the fire service, forces responsible for maintaining public order, and emergency ambulance services, when the carriage is undertaken as a consequence of the tasks assigned to those services;
- (c) undergoing road tests for technical development, repair or maintenance purposes, or the drivers of new or rebuilt vehicles which have not yet been put into service;
- (d) used in states of emergency or assigned to rescue missions;
- (e) carrying material, equipment or machinery to be used by the drivers in the course of their work, provided that driving the vehicles is not the drivers' principal activity; or
- (f) used, or hired without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity, except if driving is part of the driver's principal activity or the driving exceeds a distance set in national law from the base of the undertaking which owns, hires or leases the vehicle.

ARTICLE 3

Qualification and training

1. The activity of driving as defined in Article 1 shall be subject to a compulsory initial qualification and to compulsory periodic training. To that end the Parties shall provide for:

(a) a system of initial qualification corresponding to one of the following two options:

(i) option combining both course attendance and a test

In accordance with Section 2(2.1) of Appendix 31-B-1-1, this type of initial qualification involves compulsory course attendance for a specific period. It shall conclude with a test. Upon successful completion of the test, the qualification shall be certified by a CPC as provided for in point (a) of Article 6(1);

(ii) option involving only tests

In accordance with Section 2(2.2) of Appendix 31-B-1-1, this type of initial qualification does not involve compulsory course attendance but only theoretical and practical tests. Upon successful completion of the tests, the qualification shall be certified by a CPC as provided for in point (b) of Article 6(1).

However, a Party may authorise a driver to drive within its territory before obtaining a CPC, where the driver is undergoing a national vocational training course of at least six months, for a maximum period of three years. In the context of that vocational training course, the tests referred to in points (i) and (ii) of this point may be completed in stages;

- (b) a system of periodic training

In accordance with Section 4 of Appendix 31-B-1-1, periodic training involves compulsory course attendance. It shall be certified by a CPC as provided for in Article 8(1).

2. A Party may also provide for a system of accelerated initial qualification so that a driver may drive in the cases referred to in points (a)(i) and (b) of Article 5(2).

In accordance with Section 3 of Appendix 31-B-1-1, the accelerated initial qualification shall involve compulsory course attendance. It shall conclude with a test. Upon successful completion of the test, the qualification shall be certified by a CPC as provided for in Article 6(2).

3. A Party may exempt drivers who have obtained the certificate of professional competence provided for in Article 8 of Section 1 of Part A from the tests referred to in points (a)(i) and (ii) of paragraph 1 and in paragraph 2 of this Article in the subjects covered by the test provided for in that part of this Annex and, where appropriate, from attending the part of the course corresponding thereto.

ARTICLE 4

Acquired rights

Drivers who hold a category C1, C1+E, C or C+E licence, or a licence recognised as equivalent by the Specialised Committee on Road Transport, issued no later than 10 September 2009, shall be exempted from the need to obtain an initial qualification.

ARTICLE 5

Initial qualification

1. Access to an initial qualification shall not require the corresponding driving licence to be obtained beforehand.
2. Drivers of a vehicle intended for the carriage of goods may drive:
 - (a) from the age of 18:
 - (i) a vehicle in licence categories C and C+E, provided they hold a CPC as referred to in Article 6(1); and
 - (ii) a vehicle in licence categories C1 and C1+E, provided they hold a CPC as referred to in Article 6(2);

- (b) from the age of 21, a vehicle in licence categories C and C+E, provided they hold a CPC as referred to in Article 6(2).
- 3. Without prejudice to the age limits specified in paragraph 2, drivers undertaking carriage of goods who hold a CPC as provided for in Article 6 for one of the categories provided for in paragraph 2 of this Article shall be exempted from obtaining such a CPC for any other of the categories of vehicles referred to in that paragraph.
- 4. Drivers undertaking carriage of goods who broaden or modify their activities in order to carry passengers, or vice versa, and who hold a CPC as provided for in Article 6, shall not be required to repeat the common parts of the initial qualification, but rather only the parts specific to the new qualification.

ARTICLE 6

CPC certifying the initial qualification

- 1. CPC certifying an initial qualification
 - (a) CPC awarded on the basis of course attendance and a test

In accordance with point (a)(i) of Article 3(1), the Parties shall require trainee drivers to attend courses in a training centre approved by the competent authorities in accordance with Section 5 of Appendix 31-B-1-1, hereinafter referred to as "approved training centre". Those courses shall cover all the subjects referred to in Section 1 of Appendix 31-B-1-1.

That training shall conclude with successful completion of the test provided for in Section 2(2.1) of Appendix 31-B-1-1. That test shall be organised by the competent authorities in the Parties or an entity designated by them and shall serve to check whether, for the aforementioned subjects, the trainee driver has the level of knowledge required in Section 1 of Appendix 31-B-1-1. The said authorities or entities shall supervise the test and, upon successful completion, issue the drivers with a CPC certifying an initial qualification.

(b) CPC awarded on the basis of tests

In accordance with point (a)(ii) of Article 3(1), the Parties shall require trainee drivers to pass the theoretical and practical tests referred to in Section 2(2.2) of Appendix 31-B-1-1. Those tests shall be organised by the competent authorities in the Parties or an entity designated by them and shall serve to check whether, for all the aforementioned subjects, the trainee driver has the level of knowledge required in Section 1 of Appendix 31-B-1-1. The said authorities or entities shall supervise the tests and, upon successful completion, issue the drivers with a CPC certifying an initial qualification.

2. CPC certifying an accelerated initial qualification

In accordance with Article 3(2), the Parties shall require trainee drivers to attend courses in an approved training centre. Those courses shall cover all the subjects referred to in Section 1 of Appendix 31-B-1-1.

That training shall conclude with the test provided for in Section 3 of Appendix 31-B-1-1. That test shall be organised by the competent authorities in the Parties or an entity designated by them and shall serve to check whether, for the aforementioned subjects, the trainee driver has the level of knowledge required in Section 1 of Appendix 31-B-1-1. The said authorities or entities shall supervise the test and, upon successful completion, issue the drivers with a CPC certifying an accelerated initial qualification.

ARTICLE 7

Periodic training

Periodic training shall consist of training to enable holders of a CPC to update the knowledge which is essential for their work, with specific emphasis on road safety, health and safety at work, and the reduction of the environmental impact of driving.

That training shall be organised by an approved training centre, in accordance with Section 5 of Appendix 31-B-1-1. Training shall consist of classroom teaching, practical training and, if available, training by means of information and communication technology (ICT) tools or on top-of-the-range simulators. If a driver moves to another undertaking, the periodic training already undergone must be taken into account.

Periodic training shall be designed to expand on, and to revise, some of the subjects referred in Section 1 of Appendix 31-B-1-1. It shall cover a variety of subjects and shall always include at least one road safety related subject. The training subjects shall take into account developments in the relevant legislation and technology, and shall, as far as possible, take into account the specific training needs of the driver.

ARTICLE 8

CPC certifying periodic training

1. When a driver has completed the periodic training referred to in Article 7, the competent authorities in the Parties or the approved training centre shall issue him or her with a CPC certifying periodic training.
2. The following drivers shall undergo a first course of periodic training:
 - (a) holders of a CPC as referred to in Article 6, within five years of the issue of that CPC;
and
 - (b) the drivers referred to in Article 4, within five years of 10 September 2009.

A Party may reduce or extend the periods of time referred to in point (a) or (b) by a maximum of two years.

3. A driver who has completed a first course of periodic training as referred to in paragraph 2 of this Article shall undergo periodic training every five years, before the end of the period of validity of the CPC certifying periodic training.
4. Holders of the CPC as referred to in Article 6 or the CPC as referred to in paragraph 1 of this Article and the drivers referred to in Article 4 who have ceased pursuit of the occupation and do not meet the requirements of paragraphs 1, 2 and 3 of this Article, shall undergo a course of periodic training before resuming pursuit of the occupation.

5. Drivers undertaking the carriage of goods by road who have completed courses of periodic training for one of the licence categories provided for in Article 5(2) shall be exempt from the obligation to undergo further periodic training for another of the categories provided for in that paragraph.

ARTICLE 9

Enforcement

The competent authorities in a Party shall either affix directly on the driver's driving permit (licence), beside the corresponding categories of licence, a distinguishing sign attesting to the possession of a CPC and indicating the date of expiry, or introduce a special driver qualification card which should be drawn up in accordance with the model reproduced in Appendix 31-B-1-2. Any other model may be acceptable provided that it is recognised as equivalent by the Specialised Committee on Road Transport. The driver qualification card or any equivalent document as specified above issued by the competent authorities in a Party shall be recognised by the other Party for the purposes of this Section.

Drivers must be able to present, at the request of any authorised inspecting officer, a driving permit (licence) or a specific driver qualification card or equivalent document bearing the distinguishing sign confirming possession of a CPC.

MINIMUM QUALIFICATION AND TRAINING REQUIREMENTS

To ensure that the rules governing the transport of goods by road covered by Title I of Heading Three of Part Two of this Agreement are as harmonised as possible, the minimum requirements for driver qualification and training as well as the approval of training centres are set out in Sections 1 to 5 of this Appendix. Any other content for this qualification or training may be acceptable provided that it is considered as equivalent by the Specialised Committee on Road Transport.

SECTION 1

LIST OF SUBJECTS

The knowledge to be taken into account by the Parties when establishing the driver's initial qualification and periodic training must include at least the subjects in this list. Trainee drivers must reach the level of knowledge and practical competence necessary to drive in all safety vehicles of the relevant licence category. The minimum level of knowledge may not be less than the level reached during compulsory education, supplemented by professional training.

1. Advanced training in rational driving based on safety regulations

- 1.1 Objective: to know the characteristics of the transmission system in order to make the best possible use of it:

curves relating to torque, power, and specific consumption of an engine, area of optimum use of revolution counter, gearbox-ratio cover diagrams.

- 1.2 Objective: to know the technical characteristics and operation of the safety controls in order to control the vehicle, minimise wear and tear, and prevent disfunctioning:

limits to the use of brakes and retarder, combined use of brakes and retarder, making better use of speed and gear ratio, making use of vehicle inertia, using ways of slowing down and braking on downhill stretches, action in the event of failure, use of electronic and mechanical devices such as Electronic Stability Program (ESP), Advanced Emergency Braking Systems (AEBS), Anti-Lock Braking System (ABS), traction control systems (TCS) and in vehicle monitoring systems (IVMS) and other, approved for use, driver assistance or automation devices.

- 1.3 Objective: ability to optimise fuel consumption:

optimisation of fuel consumption by applying know-how as regards points 1.1 and 1.2, importance of anticipating traffic flow, appropriate distance to other vehicles and use of the vehicle's momentum, steady speed, smooth driving style and appropriate tyre pressure, and familiarity with intelligent transport systems that improve driving efficiency and assist in route planning.

1.4 Objective: ability to anticipate, assess and adapt to risks in traffic:

to be aware of and adapt to different road, traffic and weather conditions, anticipate forthcoming events; to understand how to prepare and plan a journey during abnormal weather conditions; to be familiar with the use of related safety equipment and to understand when a journey has to be postponed or cancelled due to extreme weather conditions; to adapt to the risks of traffic, including dangerous behaviour in traffic or distracted driving (through the use of electronic devices, eating, drinking, etc.); to recognise and adapt to dangerous situations and to be able to cope with stress deriving therefrom, in particular related to size and weight of the vehicles and vulnerable road users, such as pedestrians, cyclists and powered two wheelers;

to identify possible hazardous situations and properly interpret how those potentially hazardous situations may turn into situations where crashes can no longer be averted and selecting and implementing actions that increase the safety margins to such an extent that a crash can still be averted in case the potential hazards should occur.

1.5 Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, calculation of total volume, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity, types of packaging and pallets;

main categories of goods needing securing, clamping and securing techniques, use of securing straps, checking of securing devices, use of handling equipment, placing and removal of tarpaulins.

2. Application of regulations

2.1 Objective: to know the social environment of road transport and the rules governing it:

maximum working periods specific to the transport industry; principles, application and consequences of the rules related to the driving times and rest periods and those related to the tachograph; penalties for failure to use, improper use of and tampering with the tachograph; knowledge of the social environment of road transport: rights and duties of drivers as regards initial qualification and periodic training.

2.2 Objective: to know the regulations governing the carriage of goods:

transport operating licences, documents to be carried in the vehicle, bans on using certain roads, road-use fees, obligations under standard contracts for the carriage of goods, drafting of documents which form the transport contract, international transport permits, obligations under the CMR Convention on the Contract for the International Carriage of Goods by Road, done in Geneva on 19 May 1956, drafting of the international consignment note, crossing borders, freight forwarders, special documents accompanying goods.

3. Health, road and environmental safety, service, logistics

3.1 Objective: to make drivers aware of the risks of the road and of accidents at work:

types of accidents at work in the transport sector, road accident statistics, involvement of lorries/coaches, human, material and financial consequences.

3.2 Objective: ability to prevent criminality and trafficking in illegal immigrants:

general information, implications for drivers, preventive measures, check list, legislation on transport operator liability.

3.3 Objective: ability to prevent physical risks:

ergonomic principles; movements and postures which pose a risk, physical fitness, handling exercises, personal protection.

3.4 Objective: awareness of the importance of physical and mental ability:

principles of healthy, balanced eating, effects of alcohol, drugs or any other substance likely to affect behaviour, symptoms, causes, effects of fatigue and stress, fundamental role of the basic work/rest cycle.

3.5 Objective: ability to assess emergency situations:

behaviour in an emergency situation: assessment of the situation, avoiding complications of an accident, summoning assistance, assisting casualties and giving first aid, reaction in the event of fire, evacuation of occupants of a lorry, reaction in the event of aggression; basic principles for the drafting of an accident report.

3.6 Objective: ability to adopt behaviour to help enhance the image of the company:

behaviour of the driver and company image: importance for the company of the standard of service provided by the driver, the roles of the driver, people with whom the driver will be dealing, vehicle maintenance, work organisation, commercial and financial effects of a dispute.

3.7 Objective: to know the economic environment of road haulage and the organisation of the market:

road transport in relation to other modes of transport (competition, shippers), different road transport activities (transport for hire or reward, own account, auxiliary transport activities), organisation of the main types of transport company and auxiliary transport activities, different transport specialisations (road tanker, controlled temperature, dangerous goods, animal transport, etc.), changes in the industry (diversification of services provided, rail-road, subcontracting, etc.).

SECTION 2

COMPULSORY INITIAL QUALIFICATION PROVIDED FOR IN POINT (a) OF ARTICLE 3(1) OF SECTION 1 OF PART B

A Party may count specific other training related to the transport of goods by road required under its legislation as part of the training under this Section and under Section 3 of this Appendix.

2.1. Option combining both course attendance and a test

Initial qualification must include the teaching of all subjects in the list under Section 1 of this Appendix. The duration of that initial qualification must be 280 hours.

Each trainee driver must drive for at least 20 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each trainee driver may drive for a maximum of eight hours of the 20 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

A Party and, in the case of the Union, a Member State may allow part of the training to be delivered by the approved training centre by means of ICT tools, such as e-learning, while ensuring that the high quality and the effectiveness of the training are maintained, and by selecting the subjects where ICT tools can most effectively be deployed. Reliable user identification and appropriate means of control shall be required in such a case.

For the drivers referred to in Article 5(4) of Section 1 of Part B the length of the initial qualification must be 70 hours, including five hours of individual driving.

At the end of that training, the competent authorities in the Parties or the entity designated by them shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under Section 1 of this Appendix.

2.2 Option involving a test

The competent authorities in the Parties or the entity designated by them shall organise the aforementioned theoretical and practical tests to check whether the trainee driver has the level of knowledge required in Section 1 of this Appendix for the subjects and objectives listed there.

- (a) The theoretical test shall consist of at least two parts:
 - (i) questions including multiple-choice questions, questions requiring a direct answer, or a combination of both; and

- (ii) case studies.

The minimum duration of the theoretical test must be four hours.

- (b) The practical test shall consist of two parts:

- (i) a driving test aimed at assessing training in rational driving based on safety regulations. The test must take place, whenever possible, on roads outside built-up areas, on fast roads and on motorways (or similar), and on all kinds of urban highways presenting the different types of difficulties that a driver is liable to encounter. It would be desirable for that test to take place in different traffic density conditions. The driving time on the road must be used optimally in order to assess the candidate in all traffic areas likely to be encountered. The minimum duration of that test must be 90 minutes;
- (ii) a practical test covering at least points 1.5, 3.2, 3.3 and 3.5 of Section 1 of this Appendix.

The minimum duration of that test must be 30 minutes.

The vehicle used for the practical test must meet at least the requirements for test vehicles.

The practical test may be supplemented by a third test taking place on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions and the time of day or night.

The duration of that optional test is not fixed. Should the driver undergo such a test, its duration may be deducted from the 90 minutes of the driving test referred to under point (i), but the time deducted may not exceed 30 minutes.

For the drivers referred to in Article 5(4) of Section 1 of Part B, the theoretical test must be limited to the subjects, referred to in Section 1 of this Appendix, which are relevant to the vehicles to which the new initial qualification applies. However, such drivers must undergo the whole practical test.

SECTION 3

ACCELERATED INITIAL QUALIFICATION PROVIDED FOR IN ARTICLE 3(2) OF SECTION 1 OF PART B OF ANNEX 31

Accelerated initial qualification must include the teaching of all subjects in the list in Section 1 of this Appendix. Its duration must be 140 hours.

Each trainee driver must drive for at least 10 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each trainee driver may drive for a maximum of four hours of the 10 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way those road conditions change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

The provisions of the fourth paragraph of point 2.1 of Section 2 of this Appendix shall also apply to the accelerated initial qualification.

For the drivers referred to in Article 5(4) of Section 1 of Part B, the length of the accelerated initial qualification must be 35 hours, including two-and-a-half hours of individual driving.

At the end of that training, the competent authorities in the Parties or the entity designated by them shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under Section 1 of this Appendix.

A Party may count specific other training related to the transport of goods by road required under its legislation as part of the training under this Section.

SECTION 4

COMPULSORY PERIODIC TRAINING PROVIDED FOR IN POINT (b) OF ARTICLE 3(1) OF SECTION 1 OF PART B OF ANNEX 31

Compulsory periodic training courses must be organised by an approved training centre. Their duration must be of 35 hours every five years, given in periods of at least seven hours, which may be split over two consecutive days. Whenever e- learning is used, the approved training centre shall ensure that the proper quality of the training is maintained, including by selecting the subjects where ICT tools can most effectively be deployed. In particular, the Parties shall require reliable user identification and appropriate means of control. The maximum duration of the e-learning training shall not exceed 12 hours. At least one of the training course periods shall cover a road safety related subject. The content of the training shall take into account training needs specific to the transport operations carried out by the driver and relevant legal and technological developments and should, as far as possible, take into account specific training needs of the driver. A range of different subjects should be covered over the 35 hours, including repeat training where it is shown that the driver needs specific remedial training.

A Party and, in the case of the Union, a Member State may count specific other training related to the transport of goods by road required under its legislation as part of the training under this Section.

SECTION 5

APPROVAL OF THE INITIAL QUALIFICATION AND PERIODIC TRAINING

5.1. The training centres taking part in the initial qualification and periodic training must be approved by the competent authorities in the Parties. Approval may be given only in response to a written application. The application must be accompanied by documents including:

5.1.1. a suitable qualification and training programme specifying the subjects taught and setting out the proposed implementing plan and teaching methods;

5.1.2. the instructors' qualifications and fields of activity;

5.1.3. information about the premises where the courses are given, the teaching materials, the resources made available for the practical work, and the vehicle fleet used;

5.1.4. the conditions regarding participation in the courses (number of participants).

5.2. The competent authority must give approval in writing subject to the following conditions:

5.2.1. the training must be given in accordance with the documents accompanying the application;

5.2.2. the competent authority must be entitled to send authorised persons to assist in the training courses of the approved centres, and must be entitled to monitor such centres, with regard to the resources used and the proper running of the training courses and tests;

5.2.3. the approval may be withdrawn or suspended if the conditions of approval are no longer complied with.

The approved centre must guarantee that the instructors have a sound knowledge of the most recent regulations and training requirements. As part of a specific selection procedure, the instructors must provide certification showing a knowledge of both the subject material and teaching methods. As regards the practical part of the training, instructors must provide certification of experience as professional drivers or similar driving experience, such as that of driving instructors for heavy vehicles.

The programme of instruction must be in accordance with the approval and must cover the subjects in the list in Section 1.

**MODEL OF A DRIVER QUALIFICATION CARD
REFERRED TO IN ARTICLE 9 OF SECTION 1 OF PART B OF THIS ANNEX**

Side 1

DRIVER QUALIFICATION CARD (MEMBER STATE/UK)

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Side 2

<div style="border: 1px solid black; width: 80%; height: 40%; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> 11. </div> <ol style="list-style-type: none"> 1. Surname 2. First name 3. Date and place of birth 4a. Date of issue 4b. Administrative expiry date 4c. Issued by 5a. Licence No 5b. Serial No 10. Union code¹ 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">9.</th> <th style="width: 85%;">10.</th> </tr> </thead> <tbody> <tr><td>C1</td><td></td></tr> <tr><td>C</td><td></td></tr> <tr><td>D1</td><td></td></tr> <tr><td>D</td><td></td></tr> <tr><td>C1E</td><td></td></tr> <tr><td>CE</td><td></td></tr> <tr><td>D1E</td><td></td></tr> <tr><td>DE</td><td></td></tr> </tbody> </table>	9.	10.	C1		C		D1		D		C1E		CE		D1E		DE	
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¹ If applicable

SECTION 2

DRIVING TIMES, BREAKS AND REST PERIODS

ARTICLE 1

Scope

1. This Section lays down the rules on driving time, breaks and rest periods for drivers referred to in point (b) of Article 465(1) of this Agreement undertaking journeys referred to in Article 462 of this Agreement.
2. Where a driver undertakes a journey referred to in Article 462 of this Agreement, the rules in this Section apply to any road transport operation undertaken by that driver between the territories of the Parties and between Member States.
3. This Section applies:
 - (a) where the maximum permissible mass of the vehicle, including any trailer, or semitrailer, exceeds 3.5 tonnes; or
 - (b) from 1 July 2026, where the maximum permissible mass of the vehicle, including any trailer, or semi-trailer, exceeds 2.5 tonnes.

4. This Section does not apply to transport by:
- (a) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used for:
 - (i) carrying materials, equipment or machinery for the driver's use in the course of the driver's work, or
 - (ii) for delivering goods which are produced on a craft basis,

only within a 100 km radius from the base of the undertaking and on the condition that driving the vehicle does not constitute the driver's main activity and transport is not carried out for hire or reward;
 - (b) vehicles with a maximum authorised speed not exceeding 40 km/h;
 - (c) vehicles owned or hired without a driver by the armed services, civil defence services, fire services, and forces responsible for maintaining public order when the transport is undertaken as a consequence of the tasks assigned to those services and is under their control;
 - (d) vehicles used in emergencies or rescue operations;
 - (e) specialised vehicles used for medical purposes;
 - (f) specialised breakdown vehicles operating within a 100 km radius of their base;

- (g) vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service;
- (h) vehicles with a maximum permissible mass, including any trailer, or semi-trailer exceeding 2.5 tonnes but not exceeding 3.5 tonnes that are used for the transport of goods, where the transport is not effected for hire or reward, but on the own account of the company or the driver, and where driving does not constitute the main activity of the person driving the vehicle;
- (i) commercial vehicles, which have a historic status according to the legislation of the Member State in which they are being driven and which are used for the non-commercial transport of goods.

ARTICLE 2

Definitions

For the purposes of this Section, the following definitions apply:

- (a) "transport by road" means any journey made entirely or in part on roads open to the public by a vehicle, whether laden or not;
- (b) "break" means any period during which a driver may not carry out any driving or any other work and which is used exclusively for recuperation;

- (c) "other work" means all activities which are defined as working time in point (a) of Article 2(1) of Section 3 of Part B except "driving", including any work for the same or another employer, within or outside of the transport sector;
- (d) "rest" means any uninterrupted period during which a driver may freely dispose of his or her time;
- (e) "daily rest period" means the daily period during which a driver may freely dispose of his or her time and covers a "regular daily rest period" and a "reduced daily rest period":
 - (i) "regular daily rest period" means any period of rest of at least 11 hours, which may be taken in two periods, the first of which must be an uninterrupted period of at least 3 hours and the second an uninterrupted period of at least nine hours; and
 - (ii) "reduced daily rest period" means any period of rest of at least nine hours but less than 11 hours;
- (f) "weekly rest period" means the weekly period during which a driver may freely dispose of his or her time and covers a "regular weekly rest period" and a "reduced weekly rest period":
 - (i) "regular weekly rest period" means any period of rest of at least 45 hours; and
 - (ii) "reduced weekly rest period" means any period of rest of less than 45 hours, which may, subject to the conditions laid down in Article 6(6) and 6(7), be shortened to a minimum of 24 consecutive hours;

- (g) "a week" means the period of time between 00.00 on Monday and 24.00 on Sunday;
- (h) "driving time" means the duration of driving activity recorded:
 - (i) automatically or semi-automatically by the tachograph as defined in points (e), (f), (g) and (h) of Article 2 of Section 4 of Part B of this Annex; or
 - (ii) manually as required by Article 9(2) and Article 11 of Section 4 of Part B of this Annex;
- (i) "daily driving time" means the total accumulated driving time between the end of one daily rest period and the beginning of the following daily rest period or between a daily rest period and a weekly rest period;
- (j) "weekly driving time" means the total accumulated driving time during a week;
- (k) "maximum permissible mass" means the maximum authorised operating mass of a vehicle when fully laden;
- (l) "multi-manning" means the situation where, during each period of driving between any two consecutive daily rest periods, or between a daily rest period and a weekly rest period, there are at least two drivers in the vehicle to do the driving for the first hour of multimanning the presence of another driver or drivers is optional but for the remainder of the period it is compulsory;

- (m) "driving period" means the accumulated driving time from when a driver commences driving following a rest period or a break until the driver takes a rest period or a break; the driving period may be continuous or broken.

ARTICLE 3

Requirement for drivers' mates

The minimum age for drivers' mates shall be 18 years. However, each Party and, in the case of the Union, a Member State may reduce the minimum age for drivers' mates to 16 years, provided that the reduction is for the purposes of vocational training and there is compliance with the limits imposed by the United Kingdom and, for the Union, the Member State's national rules on employment matters.

ARTICLE 4

Driving times

1. The daily driving time shall not exceed nine hours.

However, the daily driving time may be extended to at most 10 hours not more than twice during the week.

2. The weekly driving time shall not exceed 56 hours and shall not result in the maximum weekly working time of 60 hours being exceeded.

3. The total accumulated driving time during any two consecutive weeks shall not exceed 90 hours.
4. Daily and weekly driving times shall include all driving time on the territory of the Parties.
5. A driver shall record as other work any time spent as described in point (c) of Article 2 of this Section as well as any time spent driving a vehicle used for commercial operations where a driver is not required to record driving time, and shall record any periods of availability, as defined in point (2) of Article 2 of Section 3 of Part B, in accordance with point (b)(iii) of Article 6(5) of Section 4 of Part B. This record shall be entered either manually on a record sheet or printout or by use of manual input facilities on recording equipment.

ARTICLE 5

Breaks

After a driving period of four and a half hours a driver shall take an uninterrupted break of not less than 45 minutes, unless the driver takes a rest period.

That break may be replaced by a break of at least 15 minutes followed by a break of at least 30 minutes each distributed over the period in such a way as to comply with the provisions of the first paragraph.

A driver engaged in multi-manning may take a break of 45 minutes in a vehicle driven by another driver provided that the driver taking the break is not involved in assisting the driver driving the vehicle.

ARTICLE 6

Rests

1. A driver shall take daily and weekly rest periods.
2. Within each period of 24 hours after the end of the previous daily rest period or weekly rest period a driver shall have taken a new daily rest period.

If the portion of the daily rest period which falls within that 24-hour period is at least nine hours but less than 11 hours, then the daily rest period in question shall be regarded as a reduced daily rest period.

3. A daily rest period may be extended to make a regular weekly rest period or a reduced weekly rest period.
4. A driver may have at most three reduced daily rest periods between any two weekly rest periods.
5. By way of derogation from paragraph 2, within 30 hours of the end of a daily or weekly rest period, a driver engaged in multi-manning must have taken a new daily rest period of at least nine hours.

6. In any two consecutive weeks a driver shall take at least:

(a) two regular weekly rest periods; or

(b) one regular weekly rest period and one reduced weekly rest period of at least 24 hours.

A weekly rest period shall start no later than at the end of six 24-hour periods from the end of the previous weekly rest period.

7. By way of derogation from paragraph 6, a driver engaged in international transport of goods may, outside the territory of the Party of the road haulage operator or, for drivers of Union road haulage operators, outside the territory of the Member State of the road haulage operator, take two consecutive reduced weekly rest periods provided that the driver in any four consecutive weeks takes at least four weekly rest periods, of which at least two shall be regular weekly rest periods.

For the purpose of this paragraph, a driver shall be considered to be engaged in international transport where the driver starts the two consecutive reduced weekly rest periods outside the territory of the Party of the road haulage operator and drivers' place of residence or, for the Union, outside the territory of the Member State of the road haulage operator and the country of the drivers' place of residence.

Any reduction in weekly rest period shall be compensated by an equivalent period of rest taken *en bloc* before the end of the third week following the week in question.

Where two reduced weekly rest periods have been taken consecutively in accordance with the third subparagraph, the next weekly rest period shall be preceded by a rest period taken as compensation for those two reduced weekly rest periods.

8. Any rest taken as compensation for a reduced weekly rest period shall be attached to another rest period of at least nine hours.
9. The regular weekly rest periods and any weekly rest period of more than 45 hours taken in compensation for previous reduced weekly rest periods shall not be taken in a vehicle. They shall be taken in suitable gender-friendly accommodation with adequate sleeping and sanitary facilities.

Any costs for accommodation outside the vehicle shall be covered by the employer.

10. Transport undertakings shall organise the work of drivers in such a way that the drivers are able to return to the employer's operational centre where the driver is normally based and where the driver's weekly rest period begins, in the United Kingdom and, in the case of the Union, the Member State of the employer's establishment, or to return to the drivers' place of residence, within each period of four consecutive weeks, in order to spend at least one regular weekly rest period or a weekly rest period of more than 45 hours taken in compensation for reduced weekly rest period.

However, where the driver has taken two consecutive reduced weekly rest periods in accordance with paragraph 7, the transport undertaking shall organise the work of the driver in such a way that the driver is able to return before the start of the regular weekly rest period of more than 45 hours taken in compensation.

The undertaking shall document how it fulfils that obligation and shall keep the documentation at its premises in order to present it at the request of control authorities.

11. A weekly rest period that falls in two weeks may be counted in either week, but not in both.
12. By way of derogation, where a driver accompanies a vehicle which is transported by ferry or train and takes a regular daily rest period or a reduced weekly rest period, that period may be interrupted not more than twice by other activities not exceeding one hour in total. During that regular daily rest or reduced weekly rest period the driver shall have access to a sleeper cabin, bunk or couchette at their disposal.

With regard to regular weekly rest periods, that derogation shall only apply to ferry or train journeys where:

- (a) the journey is scheduled for 8 hours or more; and
 - (b) the driver has access to a sleeper cabin in the ferry or on the train.
13. Any time spent travelling to a location to take charge of a vehicle falling within the scope of this Section, or to return from that location, when the vehicle is neither at the driver's home nor at the employer's operational centre where the driver is normally based, shall not be counted as a rest or break unless the driver is on a ferry or train and has access to a sleeper cabin, bunk or couchette.

14. Any time spent by a driver driving a vehicle which falls outside the scope of this Section to or from a vehicle which falls within the scope of this Section, which is not at the driver's home or at the employer's operational centre where the driver is normally based, shall count as other work.

ARTICLE 7

Liability of road haulage operators

1. A road haulage operator of a Party shall not give drivers it employs or who are put at its disposal any payment, even in the form of a bonus or wage supplement, related to distances travelled, the speed of delivery and/or the amount of goods carried if that payment is of such a kind as to endanger road safety and/or encourages infringement of this Section.
2. A road haulage operator of a Party shall organise road transport operations and properly instruct crew members so that they are able to comply with the provisions of this Section.
3. A road haulage operator of a Party shall be liable for infringements committed by drivers of the operator, even if the infringement was committed on the territory of the other Party.

Without prejudice to the right of the Parties to hold road haulage operators fully liable, the Parties may make this liability conditional on the operator's infringement of paragraphs 1 and 2. The Parties may consider any evidence that the road haulage operator cannot reasonably be held responsible for the infringement committed.

4. Road haulage operators, consignors, freight forwarders, principal contractors, subcontractors and driver employment agencies shall ensure that contractually agreed transport time schedules respect this Section.

5. A road haulage operator which uses vehicles that are fitted with recording equipment complying with point (f), (g) or (h) of Article 2 of Section 4 of Part B and that fall within the scope of this Section, shall:
 - (i) ensure that all data are downloaded from the vehicle unit and driver card as regularly as is stipulated by the Party and that relevant data are downloaded more frequently so as to ensure that all data concerning activities undertaken by or for that road haulage operator are downloaded; and

 - (ii) ensure that all data downloaded from both the vehicle unit and driver card are kept for at least 12 months following recording and, should an inspecting officer request it, such data are accessible, either directly or remotely, from the premises of the road haulage operator.

For the purposes of this paragraph 'downloaded' shall be interpreted in accordance with the definition laid down in point (h) of Article 2(2) of Section 2 of Part C.

The maximum period within which the relevant data shall be downloaded under point (i) of this paragraph shall be 90 days for data from the vehicle unit and 28 days for data from the driver card.

ARTICLE 8

Exceptions

1. Provided that road safety is not thereby jeopardised and to enable the vehicle to reach a suitable stopping place, the driver may depart from Articles 4, 5 and 6 to the extent necessary to ensure the safety of persons, of the vehicle or its load. The driver shall indicate the reason for such departure manually on the record sheet of the recording equipment or on a printout from the recording equipment or in the duty roster, at the latest on arrival at the suitable stopping place.
2. Provided that road safety is not thereby jeopardised, in exceptional circumstances, the driver may also depart from Article 4(1) and (2) and from Article 6(2) by exceeding the daily and weekly driving time by up to one hour in order to reach the employer's operational centre or the driver's place of residence to take a weekly rest period.

Under the same conditions, the driver may exceed the daily and weekly driving time by up to two hours, provided that an uninterrupted break of 30 minutes was taken immediately prior to the additional driving in order to reach the employer's operational centre or the driver's place of residence for taking a regular weekly rest period.

The driver shall indicate the reason for such departure manually on the record sheet of the recording equipment, or on a printout from the recording equipment or in the duty roster, at the latest on arrival at the destination or the suitable stopping place.

Any period of extension shall be compensated by an equivalent period of rest taken *en bloc* with any rest period, by the end of the third week following the week in question.

3. Provided that road safety is not thereby jeopardised, each Party and, in the case of the Union, a Member State may grant exceptions from Articles 3 to 6 and make such exceptions subject to individual conditions on its own territory or, with the agreement of the other Party, on the territory of the other Party, applicable to transport by the following:
 - (a) vehicles owned or hired, without a driver, by public authorities to undertake transport by road which do not compete with private road haulage operators;
 - (b) vehicles used or hired, without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity within a radius of up to 100 km from the base of the undertaking;
 - (c) agricultural tractors and forestry tractors used for agricultural or forestry activities, within a radius of up to 100 km from the base of the undertaking which owns, hires or leases the vehicle;
 - (d) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used by universal service providers to deliver items as part of the universal service. Those vehicles shall be used only within a 100 km radius from the base of the undertaking, and on condition that driving the vehicles does not constitute the driver's main activity;

- (e) vehicles operating exclusively on islands not exceeding 2 300 square kilometres in area which are not linked to the rest of the national territory by a bridge, ford or tunnel open for use by motor vehicles;
- (f) vehicles used for the transport of goods within a 100 km radius from the base of the undertaking and propelled by means of natural or liquefied gas or electricity, the maximum permissible mass of which, including the mass of a trailer or semi-trailer, does not exceed 7.5 tonnes;
- (g) vehicles used in connection with sewerage, flood protection, water, gas and electricity maintenance services, road maintenance and control, door-to-door household refuse collection and disposal, telegraph and telephone services, radio and television broadcasting, and the detection of radio or television transmitters or receivers;
- (h) specialised vehicles transporting circus and funfair equipment;
- (i) specially fitted mobile project vehicles, the primary purpose of which is use as an educational facility when stationary;
- (j) vehicles used for milk collection from farms and/or for the return to farms of milk containers or milk products intended for animal feed;
- (k) specialised vehicles transporting money and/or valuables;
- (l) vehicles used for carrying animal waste or carcasses which are not intended for human consumption;

- (m) vehicles used exclusively on roads inside hub facilities such as ports, interports and railway terminals;
- (n) vehicles used for the transport of live animals from farms to local markets and vice versa or from markets to local slaughterhouses within a radius of up to 100 km;
- (o) vehicles or combinations of vehicles carrying construction machinery for a construction undertaking, up to a radius of 100 km from the base of the undertaking, provided that driving the vehicles does not constitute the driver's main activity; and
- (p) vehicles used for the delivery of ready-mixed concrete.

4. Provided that working conditions of drivers and road safety are not thereby jeopardised and that the limits set out in Article 3 of Section 3 of Part B are complied with, a Party, and in the case of the Union, a Member State, may grant temporary exceptions from the application of Articles 4, 5 and 6 of this Section to transport operations carried out in exceptional circumstances, in accordance with the procedure applicable in the Party.

The temporary exceptions shall be duly reasoned and notified immediately to the other Party. The Specialised Committee on Road Transport shall specify the modalities of that notification. Each Party shall immediately publish that information on a public website and shall ensure that its enforcement activities take into account an exception granted by the other Party.

SECTION 3

WORKING TIME OF MOBILE WORKERS

ARTICLE 1

Scope

1. This Section applies to mobile workers employed by road haulage operators of the Parties, undertaking journeys referred to in Article 462 of this Agreement.

This Section shall also apply to self-employed drivers.

2. In so far as this Section contains more specific provisions as regards mobile workers performing road transport activities it shall take precedence over the relevant provisions of Article 387 of this Agreement.
3. This Section shall supplement the provisions of Section 2 of Part B which take precedence over the provisions of this Section.
4. A Party may disapply the application of this Section for mobile workers and self-employed drivers undertaking no more than two return journeys in accordance with Article 462 of this Agreement in a calendar month.
5. Where a Party disapplies the application of this Section under paragraph 4, that Party shall notify the other Party.

ARTICLE 2

Definitions

For the purposes of this Section, the following definitions apply:

- (1) "working time" means:
 - (a) in the case of mobile workers: the time from the beginning to the end of work, during which the mobile worker is at his or her workstation, at the disposal of the employer and exercising his or her functions or activities, that is to say:
 - the time devoted to all road transport activities, in particular, the following:
 - (i) driving;
 - (ii) loading and unloading;
 - (iii) assisting passengers boarding and disembarking from the vehicle;
 - (iv) cleaning and technical maintenance; and
 - (v) all other work intended to ensure the safety of the vehicle and its cargo or to fulfil the legal or regulatory obligations directly linked to the specific transport operation under way, including monitoring of loading and unloading, administrative formalities with police, customs, immigration officers etc.,

- the times during which driver cannot dispose freely of his or her time and is required to be at his or her workstation, ready to take up normal work, with certain tasks associated with being on duty, in particular during periods awaiting loading or unloading where their foreseeable duration is not known in advance, that is to say either before departure or just before the actual start of the period in question, or under the general conditions negotiated between the social partners and/or under the terms of the legislation of the Parties;
- (b) in the case of self-employed drivers, the same definition applies to the time from the beginning to the end of work, during which the self-employed driver is at his or her workstation, at the disposal of the client and exercising his or her functions or activities other than general administrative work that is not directly linked to the specific transport operation under way.

The break times referred to in Article 4, the rest times referred to in Article 5 and, without prejudice to the legislation of the Parties or agreements between the social partners providing that such periods should be compensated or limited, the periods of availability referred to in point (2) of this Article, shall be excluded from working time;

(2) "periods of availability" means:

- periods other than those relating to break times and rest times during which the mobile worker is not required to remain at his or her workstation, but must be available to answer any calls to start or resume driving or to carry out other work. In particular such periods of availability shall include periods during which the mobile worker is accompanying a vehicle being transported by ferryboat or by train as well as periods of waiting at frontiers and those due to traffic prohibitions.

- Those periods and their foreseeable duration shall be known in advance by the mobile worker, that is to say either before departure or just before the actual start of the period in question, or under the general conditions negotiated between the social partners and/or under the terms of the legislation of the Parties,
- for mobile workers driving in a team, the time spent sitting next to the driver or on the couchette while the vehicle is in motion;

(3) "workstation" means:

- the location of the main place of business of the road haulage operator for which the person performing mobile road transport activities carries out duties, together with its various subsidiary places of business, regardless of whether they are located in the same place as its head office or main place of business,
- the vehicle which the person performing mobile road transport activities uses when that person carries out duties, and
- any other place in which activities connected with transportation are carried out;

(4) "mobile worker" means, for the purpose of this Section, any worker forming part of the travelling staff, including trainees and apprentices, who is in the service of an undertaking which operates transport services for passengers or goods by road on the territory of the other Party;

- (5) "self-employed driver" means anyone whose main occupation is to transport of goods by road for hire or reward, who is entitled to work for himself and who is not tied to an employer by an employment contract or by any other type of working hierarchical relationship, who is free to organise the relevant working activities, whose income depends directly on the profits made and who has the freedom to, individually or through a cooperation between self-employed drivers, have commercial relations with several customers.

For the purposes of this Section, those drivers who do not satisfy those criteria shall be subject to the same obligations and benefit from the same rights as those provided for mobile workers by this Section;

- (6) "person performing mobile road transport activities" means any mobile worker or self-employed driver who performs such activities;
- (7) "week" means the period between 00.00 hours on Monday and 24.00 hours on Sunday;
- (8) "night time" means a period of at least four hours, as defined by national law, between 00.00 hours and 07.00 hours; and
- (9) "night work" means any work performed during night time.

ARTICLE 3

Maximum weekly working time

1. Each Party shall take the measures necessary to ensure that the average weekly working time may not exceed 48 hours. The maximum weekly working time may be extended to 60 hours only if, over four months, an average of 48 hours a week is not exceeded.
2. Each Party shall take the measures necessary to ensure that working time for different employers is the sum of the working hours. The employer shall ask the mobile worker concerned in writing for an account of time worked for another employer. The mobile worker shall provide such information in writing.

ARTICLE 4

Breaks

Each Party shall take the measures necessary to ensure that, without prejudice to the provisions of Section 2 of Part B of this Annex, persons performing mobile road transport activities, in no circumstances work for more than six consecutive hours without a break. Working time shall be interrupted by a break of at least 30 minutes, if working hours total between six and nine hours, and of at least 45 minutes, if working hours total more than nine hours.

Breaks may be subdivided into periods of at least 15 minutes each.

ARTICLE 5

Rest periods

For the purposes of this Section, apprentices and trainees who are in the service of an undertaking which operates transport services for passengers or goods by road journeys on the territory of the other Party shall be covered by the same provisions on rest time as other mobile workers pursuant to Section 2 of Part B of this Annex.

ARTICLE 6

Night work

Each Party shall take the measures necessary to ensure that:

- (a) if night work is performed, the daily working time does not exceed ten hours in each 24 period, and
- (b) compensation for night work is given in accordance with national legislative measures, collective agreements, agreements between the two sides of industry and/or national practice, on condition that such compensation is not liable to endanger road safety.

ARTICLE 7

Derogations

1. Derogations from Articles 3 and 6 may, for objective or technical reasons or reasons concerning the organisation of work, be adopted by means of collective agreements, agreements between the social partners, or if that is not possible, by laws, regulations or administrative provisions provided that there is consultation of the representatives of the employers and workers concerned and efforts are made to encourage all relevant forms of social dialogue.
2. The option to derogate from Article 3 may not result in the establishment of a reference period exceeding six months, for calculation of the average maximum weekly working time of forty-eight hours.
3. The Specialised Committee on Road Transport shall be informed of the derogations applied by a Party in accordance with paragraph 1.

ARTICLE 8

Information and records

Each Party shall ensure that:

- (a) mobile workers are informed of the relevant national requirements, the internal rules of the road haulage operator and agreements between the two sides of industry, in particular collective agreements and any company agreements, reached on the basis of this Section; and
- (b) the working time of persons performing mobile road transport activities is recorded. Records shall be kept for at least two years after the end of the period covered. Employers shall be responsible for recording the working time of mobile workers. Employers shall upon request provide mobile workers with copies of the records of hours worked.

ARTICLE 9

More favourable provisions

This Section shall not affect the right of each Party to apply or introduce laws, regulations or administrative provisions more favourable to the protection of the health and safety of persons performing mobile road transport activities, or their right to facilitate or permit the application of collective agreements or other agreements concluded between the two sides of industry which are more favourable to the protection of the health and safety of mobile workers. Those rules shall be applied in a non-discriminatory manner.

SECTION 4

USE OF TACHOGRAPHS BY DRIVERS

ARTICLE 1

Subject matter and principles

This Section lays down requirements for drivers falling within the scope of Section 2 of Part B regarding the use of tachographs referred to in point (b) of Article 465(1) of this Agreement.

ARTICLE 2

Definitions

1. For the purposes of this Section, the definitions set out in Article 2 of Section 2 of Part B apply.
2. In addition to the definitions referred to in paragraph 1, for the purposes of this Section the following definitions apply:

- (a) "tachograph" or "recording equipment" means the equipment intended for installation in road vehicles to display, record, print, store and output automatically or semi-automatically details of the movement, including the speed, of such vehicles and details of certain periods of activity of their drivers;
- (b) "record sheet" means a sheet designed to accept and retain recorded data, to be placed in an analogue tachograph, and on which the marking devices of the analogue tachograph continuously inscribe the information to be recorded;
- (c) "tachograph card" means a smart card, intended for use with the tachograph, which allows identification by the tachograph of the role of the cardholder and allows data transfer and storage;
- (d) "driver card" means a tachograph card, issued by the competent authorities in a Party to a particular driver, which identifies the driver and allows for the storage of driver activity data;
- (e) "analogue tachograph" means a tachograph complying with the specifications in Annex I to Regulation (EU) No 165/2014 of the European Parliament and of the Council¹, as adapted by Appendix 31-B-4-1;

¹ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ EU L 60, 28.2.2014, p. 1).

- (f) "digital tachograph" means a tachograph complying with one of the following set of specifications, as adapted by Appendix 31-B-4-2:
- Annex IB to Regulation (EEC) No 3821/85 applicable until 30 September 2011;
 - Annex IB to Regulation (EEC) No 3821/85 applicable from 1 October 2011; or
 - Annex IB to Regulation (EEC) No 3821/85 applicable from 1 October 2012;
- (g) "smart tachograph 1" means a tachograph complying with Annex IC to Commission Implementing Regulation (EU) 2016/799¹ applicable from 15 June 2019, as adapted by Appendix 31-B-4-3;
- (h) "smart tachograph 2" means a tachograph complying with the following requirements:
- automatic recording of the border crossing;
 - recording of loading and unloading activities;
 - recording whether the vehicle is used for carriage of goods or passengers; and

¹ Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ EU L 139, 26.5.2016, p. 1).

- with the specifications to be set out in the implementing acts referred to in the first paragraph of Article 11 of Regulation (EU) No 165/2014 of the European Parliament and of the Council¹, as adapted by a decision of the Specialised Committee on Road Transport;
- (i) "event" means an abnormal operation detected by the digital tachograph which may result from a fraud attempt;
- (j) "non-valid card" means a card detected as faulty, or whose initial authentication failed, or whose start of validity date is not yet reached, or whose expiry date has passed.

ARTICLE 3

Use of driver cards

1. The driver card is personal.
2. A driver may hold no more than one valid driver card, and is only authorised to use his or her own personalised driver card. A driver shall not use a driver card which is defective or which has expired.

¹ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ EU L 60, 28.2.2014, p. 1).

ARTICLE 4

Issuing of driver cards

1. Driver cards shall be requested to the competent authority in the Party where the driver has his or her normal residence.
2. For the purposes of this Article, "normal residence" means the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where that person is living.

However, the normal residence of a person whose occupational ties are in a place different from their personal ties and who consequently lives in turn in different places situated in the two Parties shall be regarded as being the place of their personal ties, provided that such person returns there regularly. This last condition does not need to be complied with where the person is living in a Party in order to carry out a fixed-term assignment.

3. Drivers shall give proof of their normal residence by any appropriate means, such as their identity card or any other valid document.

ARTICLE 5

Renewal of driver cards

Where a driver wishes to renew his or her driver card, the driver shall apply to the competent authorities in the Party of his or her normal residence not later than 15 working days before the expiry date of the card.

ARTICLE 6

Use of driver cards and record sheets

1. Drivers shall use record sheets or driver cards every day on which they drive, starting from the moment they take over the vehicle. The record sheet or driver card shall not be withdrawn before the end of the daily working period unless its withdrawal is otherwise authorised or is necessary in order to enter the symbol of the country after having crossed a border. No record sheet or driver card may be used to cover a period longer than that for which it is intended.
2. Drivers shall adequately protect the record sheets or driver cards, and shall not use dirty or damaged record sheets or driver cards. The driver shall ensure that, taking into account the length of the period of service, the printing of data from the tachograph at the request of a control officer can be carried out correctly in the event of an inspection.






3. When, as a result of being away from the vehicle, a driver is unable to use the tachograph fitted to the vehicle, the periods of time referred to in points (b)(ii), (b)(iii) and (b)(iv) of paragraph 5 shall:
 - (a) if the vehicle is fitted with an analogue tachograph, be entered on the record sheet, either manually, by automatic recording or other means, legibly and without dirtying the record sheet; or
 - (b) if the vehicle is fitted with a digital, smart 1 or smart 2 tachograph, be entered onto the driver card using the manual entry facility provided for in the tachograph.

Each Party shall not impose on drivers a requirement to present forms attesting to their activities while away from the vehicle.

4. Where there is more than one driver on board a vehicle fitted with a digital, a smart 1 or smart 2 tachograph, each driver shall ensure that his or her driver card is inserted into the correct slot in the tachograph.

Where there is more than one driver on board a vehicle fitted with an analogue tachograph, the drivers shall amend the record sheets as necessary, so that the relevant information is recorded on the record sheet of the driver who is actually driving.

5. Drivers shall:

- (a) ensure that the time recorded on the record sheet corresponds to the official time in the country of registration of the vehicle;
- (b) operate the switch mechanisms enabling the following periods of time to be recorded separately and distinctly:
 - (i) under the  sign: driving time,
 - (ii) under the  sign: "other work", which means any activity other than driving, as defined in point (a) of Article 2 of Section 3 of Part B, and also any work for the same or another employer within or outside of the transport sector,
 - (iii) under the  sign: "availability", as defined in point (b) of Article 2 of Section 3 of Part B,
 - (iv) under the  sign: breaks, rest, annual leave or sick leave, and
 - (v) under the sign for "ferry/train": In addition to the  sign: the rest period spent on a ferry or train as required in paragraph 12 of Article 6 of Section 2 of Part B.

6. Each driver of a vehicle fitted with an analogue tachograph shall enter the following information on his or her record sheet:
- (a) on beginning to use the record sheet — the driver's surname and first name;
 - (b) the date and place where use of the record sheet begins and the date and place where such use ends;
 - (c) the registration number of each vehicle to which the driver is assigned, both at the start of the first journey recorded on the record sheet and then, in the event of a change of vehicle, during use of the record sheet;
 - (d) the odometer reading:
 - (i) at the start of the first journey recorded on the record sheet,
 - (ii) at the end of the last journey recorded on the record sheet,
 - (iii) in the event of a change of vehicle during a working day, the reading on the first vehicle to which the driver was assigned and the reading on the next vehicle;
 - (e) the time of any change of vehicle; and

(f) the symbols of the countries in which the daily working period started and finished. The driver shall also enter the symbol of the country that the driver enters after crossing a border of an EU Member State and of the United Kingdom at the beginning of the driver's first stop in that Member State or the United Kingdom. That first stop shall be made at the nearest possible stopping place at or after the border. Where the crossing of the border takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.

7. The driver shall enter in the digital tachograph the symbols of the countries in which the daily working period started and finished.

From 2 February 2022, the driver shall also enter the symbol of the country that the driver enters after crossing a border of a Member State and of the United Kingdom at the beginning of the driver's first stop in that Member State or the United Kingdom. That first stop shall be made at the nearest possible stopping place at or after the border. Where the crossing of the border takes place on a ferry or train, the driver shall enter the symbol of the country at the port or station of arrival.

A Member State or the United Kingdom may require drivers of vehicles engaged in transport operations inside their territory to add more detailed geographic specifications to the country symbol, provided that each Party notifies in advance the other Party about those detailed geographic specifications.

It shall not be necessary for drivers to enter the information referred to in the first sentence of the first subparagraph if the tachograph is automatically recording that location data.

ARTICLE 7

Correct use of tachographs

1. Transport undertakings and drivers shall ensure the correct functioning and proper use of digital tachographs and driver cards. Transport undertakings and drivers using analogue tachographs shall ensure their correct functioning and the proper use of record sheets.
2. It shall be forbidden to falsify, conceal, suppress or destroy data recorded on the record sheet or stored in the tachograph or on the driver card, or print-outs from the tachograph. Any manipulation of the tachograph, record sheet or driver card which could result in data and/or printed information being falsified, suppressed or destroyed shall also be prohibited. No device which could be used to that effect shall be present on the vehicle.

ARTICLE 8

Stolen, lost or defective driver cards

1. Issuing authorities of the Parties shall keep records of issued, stolen, lost or defective driver cards for a period at least equivalent to their period of validity.
2. If a driver card is damaged or if it malfunctions, the driver shall return it to the competent authority in the country of the driver's normal residence. Theft of the driver card shall be formally declared to the competent authorities of the State where the theft occurred.

3. Any loss of the driver card shall be reported in a formal declaration to the competent authorities in the issuing Party and to the competent authorities in the Party of the driver's normal residence if that is different.
4. If the driver card is damaged, malfunctions or is lost or stolen, the driver shall, within seven days, apply for its replacement to the competent authorities in the Party of the driver's normal residence.
5. In the circumstances set out in paragraph 4, the driver may continue to drive without a driver card for a maximum period of 15 days or for a longer period if that is necessary for the vehicle to return to the premises where it is based, provided that the driver can prove the impossibility of producing or using the card during that period.

ARTICLE 9

Damaged driver cards and record sheets

1. In the event of damage to a record sheet bearing recordings or to a driver card, drivers shall keep the damaged record sheet or driver card together with any spare record sheet used to replace it.
2. Where a driver card is damaged, malfunctions, or is lost or stolen, the driver shall:
 - (a) at the start of his or her journey, print out the details of the vehicle that the driver is driving, and enter on that printout:

- (i) details that enable the driver to be identified (name, driver card or driving licence number), including the driver's signature; and
 - (ii) the periods referred to in points (b)(ii), (b)(iii) and (b)(iv) of Article 6(5);
- (b) at the end of the journey, print out the information relating to periods of time recorded by the tachograph, record any periods of other work, availability and rest taken since the printout made at the start of the journey, where not recorded by the tachograph, and mark on that document details enabling the driver to be identified (name, driver card or driving licence number), including the driver's signature.

ARTICLE 10

Records to be carried by the driver

1. Where a driver drives a vehicle fitted with an analogue tachograph, the driver shall be able to produce, whenever an authorised control officer so requests:
 - (i) the record sheets for the current day and the preceding 28 days;
 - (ii) the driver card, if one is held; and
 - (iii) any manual records and printouts made during the current day and the previous 28 days.

2. Where the driver drives a vehicle fitted with a digital, a smart 1 or smart 2 tachograph, the driver shall be able to produce, whenever an authorised control officer so requests:
 - (i) the driver's driver card;
 - (ii) any manual records and printouts made during the current day and the previous 28 days;
and
 - (iii) the record sheets corresponding to the same period as that referred to in point (ii) during which the driver drove a vehicle fitted with an analogue tachograph.

From 31 December 2024, the period of 28 days referred to in points (i) and (iii) of paragraph 1 and in point (ii) of paragraph 2 shall be replaced by 56 days.

3. An authorised control officer may check compliance with Section 2 of Part B by analysis of the record sheets, of the displayed, printed or downloaded data which have been recorded by the tachograph or by the driver card or, failing that, of any other supporting document that justifies non-compliance with a provision of that Section.

ARTICLE 11

Procedures for drivers in the event of malfunctioning equipment

While the tachograph is unserviceable or malfunctioning, the driver shall mark data enabling him to be identified (name, driver card or driving licence number), including a signature, as well as the information for the various periods of time which are no longer recorded or printed out correctly by the tachograph:

- (a) on the record sheet or sheets; or
- (b) on a temporary sheet to be attached to the record sheet or to be kept together with the driver card.

ARTICLE 12

Enforcement measures

1. Each Party shall adopt all appropriate measures to ensure observance of the provisions of Sections 2, 3 and 4 of Part B, in particular by ensuring annually an adequate level of roadside checks and checks performed at the premises of undertakings covering a large and representative cross-section of mobile workers, drivers, undertakings and vehicles of all transport categories falling within the scope of those Sections.

The competent authorities in each Party shall organise the checks so that:

- (i) during each calendar year, a minimum of 3 % of the days worked by the drivers of vehicles falling within the scope of Section 2 of Part B applies shall be checked; and
- (ii) at least 30 % of the total number of working days checked shall be checked at the roadside and at least 50 % at the premises of undertakings.

The elements of roadside checks shall include:

- (i) daily and weekly driving periods, interruptions and daily and weekly rest periods;
- (ii) the record sheets of the preceding days, which shall be on board the vehicle, and/or the data stored for the same period on the driver card and/or in the memory of the tachograph and/or on the printouts, when required; and
- (iii) the correct functioning of the tachograph.

Those checks shall be carried out without discrimination among vehicles, undertakings and drivers whether resident or not, and regardless of the origin or destination of the journey or type of tachograph.

The elements of checks on the premises of undertakings shall include, in addition to the elements subject to roadside checks:

- (i) weekly rest periods and driving periods between those rest periods;

- (ii) fortnightly driving limits;
 - (iii) compensation for reduced weekly rest periods in accordance with Article 6(6) and (7) of Section 2 of Part B; and
 - (iv) use of record sheets and/or vehicle unit and driver card data and printouts and/or the organisation of drivers' working time.
2. If the findings of a roadside check on the driver of a vehicle registered in the territory of the other Party provide grounds to believe that infringements have been committed which cannot be detected during the check due to lack of necessary data, the competent authorities in each Party shall assist each other to clarify the situation. In cases where, to that end, the competent authorities in a Party carry out a check at the premises of the undertaking, the results of that check shall be communicated to the competent authorities of the other Party.
 3. The competent authorities in the Parties shall work in cooperation with each other in the organisation of concerted roadside checks.
 4. Each Party shall introduce a risk rating system for undertakings based on the relative number and severity of any infringements, as set out in Appendix 31-A-1-1 and of any infringements included in the list drawn up by the Specialised Committee on Road Transport under Article 6(3) of Section 1 of Part A, that an individual undertaking has committed.
 5. Undertakings with a high risk rating shall be checked more closely and more often.

6. Each Party and, in the case of the Union, each Member State, shall enable its competent authorities to impose a penalty on a road haulage operator and/or a driver for an infringement of the applicable provisions on driving time, breaks and rest periods detected on its territory and for which a penalty has not already been imposed, even where that infringement has been committed on the territory of the other Party or, in the case of the Union, the territory of a Member State or of a third country.

ADAPTATIONS TO THE TECHNICAL SPECIFICATIONS
OF THE ANALOGUE TACHOGRAPH

Annex I to Regulation (EU) No 165/2014 is adapted for the purpose of this Section as follows:

- (a) In Section III (Construction requirements for recording equipment), in paragraph 4.1 of subsection (c) (Recording instruments), for "points (ii), (iii) and (iv) of Article 34(5)(b) of this Regulation" substitute "points (ii), (iii) and (iv) of point (b) of Article 6(5) of Section 4 of Part B of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part."
- (b) In Section III (Construction requirements for recording equipment), in paragraph 4.2 of subsection (c) (Recording instruments), for "Article 34 of this Regulation" substitute "Article 6(5) of Section 4 of Part B of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part."
- (c) In Section IV (Record sheets), in the third subparagraph of paragraph 1 of subsection (a) (General points), for "Article 34 of this Regulation" substitute "Article 6(6) of Section 4 of Part B of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part."

- (d) In Section V (Installation of recording equipment), in the first subparagraph of paragraph 5, for "this Regulation" substitute "Section 4 of Part B and Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".
- (e) In Section V (Installation of recording equipment), in the third subparagraph of paragraph 5, for "Part A of Annex II to Directive 2007/46/EC of the European Parliament and of the Council" substitute "the Consolidated Resolution on the Construction of Vehicles (R.E.3)" and for "this Regulation" substitute "Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".
- (f) In Section VI (Checks and inspections), in the text before paragraph 1, after "Member States" insert "and the United Kingdom".
- (g) In Section VI (Checks and inspections), in the second subparagraph of paragraph 1 (Certification of new or repaired instruments), after "Member States" insert "and the United Kingdom", and for "this Regulation" substitute "Section 4 of Part B and Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".
- (h) In Section VI (Checks and inspections), in subparagraph (b) of paragraph 3 (Periodic inspections), after "Member State" insert "and the United Kingdom".

ADAPTATIONS TO THE TECHNICAL SPECIFICATIONS
OF THE DIGITAL TACHOGRAPH

Annex IB to Regulation (EEC) No 3821/85, including the appendixes introduced by Council Regulation (EC) No 2135/98¹, is adapted for the purpose of this Section as follows:

1. In the case of the United Kingdom, the references to "Member State" are replaced by "Party", except for the references in subsection IV (Construction and functional requirements for tachograph cards), paragraph 174 and subsection VII (Card issuing), paragraph 268a;
2. For "Council Regulation (EEC) No 3820/85" and "Regulation (EC) No 561/2006" substitute "Section 2 of Part B of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part";

Section I (Definitions) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

¹ Council Regulation (EC) No 2135/98 of 24 September 1998 amending Regulation (EEC) No 3821/85 on recording equipment in road transport and Directive 88/599/EEC concerning the application of Regulations (EEC) No 3820/84 and (EEC) No 3821/85 (OJ EC L 274, 9.10.1998, p. 1).

3. Point (u) is replaced by the following:

"(u) 'effective circumference of the wheels' means the average of the distances travelled by each of the wheels moving the vehicle (driving wheels) in the course of one complete rotation. The measurement of those distances shall be made under standard test conditions as defined under requirement 414 and is expressed in the form 'l = ... mm'. Vehicle manufacturers may replace the measurement of those distances by a theoretical calculation which takes into account the distribution of the weight on the axles, vehicle unladen in normal running order, namely with coolant fluid, lubricants, fuel, tools, spare-wheel and driver. The methods for such theoretical calculation are subject to approval by the competent authority in a Party and can take place only before tachograph activation;"

4. In point (bb), the reference to "Council Directive 92/6/EEC" is replaced by "the applicable law of each Party".

5. Point (ii) is replaced by the following:

"'security certification' means: process to certify, by a Common Criteria certification body, that the recording equipment (or component) or the tachograph card under investigation fulfils the security requirements defined in Appendix 10 (Generic security targets);"

6. In point (mm), the reference to "Directive 92/23/EEC" is replaced by "UNECE Regulation No 54".

7. In point (nn), footnote 17 is replaced by the following:

"'Vehicle Identification Number' means a fixed combination of characters assigned to each vehicle by the manufacturer, which consists of two sections: the first, composed of not more than six characters (letters or figures), identifying the general characteristics of the vehicle, in particular the type and model; the second, composed of eight characters of which the first four may be letters or figures and the other four figures only, providing, in conjunction with the first section, clear identification of a particular vehicle."

8. In point (rr), the first indent is replaced by the following:

"— installed and used only in M1 and N1 type vehicles as defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3)",

Section II (General characteristics and functions of the recording equipment) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

9. In paragraph 004, the last subparagraph is deleted.

Section III (Construction and functional requirements for recording equipment) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

10. In paragraph 065, the reference to "Directive 2007/46/EC" is replaced by "the Consolidated Resolution on the Construction of Vehicles (R.E.3)."

11. In paragraph 162, the reference to "Commission Directive 95/54/EC of 31 October 1995 adapting to technical progress Council Directive 72/245/EEC" is replaced by "UNECE Regulation No 10".

Section IV (Construction and functional requirements for tachograph cards) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

12. In paragraph 174, the reference to "UK: The United Kingdom" is replaced by "For the United Kingdom, the distinguishing sign shall be the UK."
13. In paragraph 185, the reference to "Community territory" is replaced by "the territory of the Union and of the United Kingdom".
14. In paragraph 188, the reference to "Commission Directive 95/54/EC of 31 October 1995" is replaced by "UNECE Regulation No 10".
15. In paragraph 189, the last subparagraph is deleted.

Section V (Installation of recording equipment) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

16. In paragraph 250a, the reference to "Regulation (EC) No 68/2009" is replaced by "Appendix 12 of this Annex."

Section VI (Checks, inspections and repairs) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

17. The introductory sentence is replaced by the following:

"Requirements on the circumstances in which seals may be removed, as referred to in Article 5(5) of Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, are defined in Chapter V(3) of this Annex"

18. Under subsection 1 (Approval of fitters or workshops), the reference to "Article 12(1) of this Regulation" is replaced by "Articles 5(1) and 8 of Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".

Section VII (Card issuing) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

19. In paragraph 268a, after "Member States", wherever it occurs, insert "and the United Kingdom".

Section VIII (Type approval of recording equipment and tachograph cards) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

20. In paragraph 271, omit "in accordance with Article 5 of this Regulation".

Appendix 1 (Data dictionary) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

21. In point 2.111, the reference to "Directive 92/23 (EEC) 31.3.1992, OJ L 129, p. 95" is replaced by "UNECE Regulation No 54".

Appendix 9 (Type approval List of minimum required tests) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

22. In subpoint 5.1 of Section 2 (Vehicle unit functional tests), the reference to "Directive 95/54/EC" is replaced by "UNECE Regulation No 10".

23. In subpoint 5.1 of Section 3 (Motion sensor functional tests), the reference to "Directive 95/54/EC" is replaced by "UNECE Regulation No 10".

Appendix 12 (Adaptor for M1 and N1 category vehicles) of Annex IB to Regulation (EEC) No 3821/85 is adapted for the purpose of this Section as follows:

24. In Section 4 (Construction and functional requirements for the adaptor) in paragraph 4.5 (performance characteristics) in ADA_023, for "Commission Directive 2006/28/EC adapting to technical progress Council Directive 72/245/EEC" substitute "UNECE Regulation No 10".

25. In point 5.1 of the table under subsection 7.2 (Functional certificate), for "Directive 2006/28/EC" substitute "UNECE Regulation No 10".

ADAPTATIONS TO THE TECHNICAL SPECIFICATIONS
OF THE SMART TACHOGRAPH

Commission Implementing Regulation (EU) 2016/799, including its annexes and appendixes, is adapted for the purpose of this Section as follows:

1. In the case of the United Kingdom, the references to "Member State" are replaced by "Party", except for the references in point (229) of subsection 4.1 and in point (424) of Section 7;
2. For "Regulation (EEC) No 3820/85" and "Regulation (EC) No 561/2006" substitute "Section 2 of Part B of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part";
3. For "Regulation (EU) No 165/2014" substitute "Section 4 of Part B and Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, except for the references in point (402) of subsection 5.3 and in point (424) of Section 7";
4. For "Directive (EU) 2015/719" and for "Council Directive 96/53/EC" substitute "Section 1 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".

Section 1 (Definitions) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

5. Point (u) is replaced by the following:

"(u) 'effective circumference of the wheels' means:

the average of the distances travelled by each of the wheels moving the vehicle (driving wheels) in the course of one complete rotation. The measurement of those distances shall be made under standard test conditions as defined under requirement 414 and is expressed in the form 'l = ... mm'. Vehicle manufacturers may replace the measurement of those distances by a theoretical calculation which takes into account the distribution of the weight on the axles, vehicle unladen in normal running order, namely with coolant fluid, lubricants, fuel, tools, spare-wheel and driver. The methods for such theoretical calculation are subject to approval by the competent authority in a Party and can take place only before tachograph activation;"

6. In point (hh), the reference to "Council Directive 92/6/EEC" is replaced by "the applicable law of each Party";

7. In point (uu), the reference to "Directive 92/23/EEC" is replaced by "UNECE Regulation No 54";

8. In point (vv), footnote 9 is replaced by the following:

"'Vehicle Identification Number' means a fixed combination of characters assigned to each vehicle by the manufacturer, which consists of two sections: the first, composed of not more than six characters (letters or figures), identifying the general characteristics of the vehicle, in particular the type and model; the second, composed of eight characters of which the first four may be letters or figures and the other four figures only, providing, in conjunction with the first section, clear identification of a particular vehicle.";

9. In point (yy), the first indent is replaced by the following:

"— installed and used only in M1 and N1 type vehicles as defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3);";

10. Point (aaa) is deleted;

11. In point (ccc), the first paragraph is replaced by "15 June 2019".

Section 2 (General characteristics and functions of the recording equipment) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

12. The last subparagraph of paragraph (7) of subsection 2.1 is deleted.

Section 3 (Construction and functional requirements for recording equipment) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

13. In point (200) of subsection 3.20, the second sentence of the third subparagraph is deleted.

14. Point (201) of subsection 3.20 is replaced by the following:

"The vehicle unit may also be able to output the following data using an appropriate dedicated serial link independent from an optional CAN bus connection (ISO 11898 Road vehicles — Interchange of digital information — Controller Area Network (CAN) for high speed communication), to allow their processing by other electronic units installed in the vehicle:

- current UTC date and time,
- speed of the vehicle,
- total distance travelled by the vehicle (odometer),
- currently selected driver and co-driver activity,
- information if any tachograph card is currently inserted in the driver slot and in the co-driver slot and (if applicable) information about the corresponding cards identification (card number and issuing country).

Other data may also be output in addition to that minimum list.

When the ignition of the vehicle is ON, those data shall be permanently broadcast. When the ignition of the vehicle is OFF, at least any change of driver or co-driver activity and/or any insertion or withdrawal of a tachograph card shall generate a corresponding data output. In the event that data output has been withheld whilst the ignition of the vehicle is OFF, that data shall be made available once the ignition of the vehicle is ON again.

The driver consent shall be required in case personal data are transmitted."

Section 4 (Construction and functional requirements for tachograph cards) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

15. In Point (229) of the subsection 4.1, the following subparagraph is added:

"For the United Kingdom, the distinguishing sign shall be the UK.";

16. In point (237), for "Article 26.4 of Regulation (EU) No. 165/2014" substitute "Article 9(2) of Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part";

17. In point (241) of subsection 4.4 of Chapter 4 of this Annex, the word "Community territory" is replaced by "the territory of the Union and of the United Kingdom";

18. Point (246) in subsection 4.5 is deleted.

Section 5 (Installation of recording equipment) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

19. The first paragraph of point (397) in subsection 5.2 is replaced by the following:

"(397) For M1 and N1 vehicles only, and which are fitted with an adaptor in conformity with Appendix 16 of this Annex and where it is not possible to include all the information necessary, as described in Requirement 396, a second, additional, plaque may be used. In such cases, this additional plaque shall contain at least the last four indents described in Requirement 396.";

20. In point (402) of subsection 5.3, for "Article 22(3) of Regulation (EU) No 165/2014" substitute "Article 5(3) of Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part.".

Section 6 (Checks, inspections and repairs) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

21. The introductory sentence is replaced by the following:

"Requirements on the circumstances in which seals may be removed are defined in Chapter 5.3 of this Annex.";

Section 7 (Card issuing) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

22. In point (424), after the reference to "Member States" insert "and the United Kingdom", and for the reference to "Article 31 of Regulation (EU) No 165/2014" substitute "Article 13 of Section 2 of Part C of Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".

Appendix 1 (Data dictionary) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

23. In point 2.163, for "Directive 92/23/EEC" substitute "UNECE Regulation No 54".

Appendix 11 (Common security mechanisms) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

24. In point 9.1.4 (Equipment Level: Vehicle Units), in the first note below CSM_78, for "Regulation (EU) No 581/2010" substitute "Article 7(5) of Section 2 of Part B Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".

25. In point 9.1.5 (Equipment level: Tachograph Cards), in the note below CSM_89, for "Regulation (EU) No 581/2010" substitute "Article 7(5) of Section 2 of Part B Annex 31 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part".

Appendix 12 (Positioning based on Global Navigation Satellite System (GNSS)) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

26. The second subparagraph of Section 1 (Introduction) is deleted.
27. In Section 2 (Specification of the GNSS receiver), the reference to "compatibility with the services provided by the Galileo and European Geostationary Navigation Overlay Service (EGNOS) programmes as set out in Regulation (EU) No 1285/2013 of the European Parliament and of the Council", is replaced by "compatibility with Satellite Based Augmentation Systems (SBAS)".

Appendix 16 (Adaptor for M1 and N1 category vehicles) of Annex IC to Commission Implementing Regulation (EU) 2016/799 is adapted for the purpose of this Section as follows:

28. In point 5.1 in the table under Section (7) (Type approval of recording equipment when an adaptor is used), the reference to "Directive 2006/28/EC" is replaced by "UNECE Regulation No 10".

PART C

REQUIREMENTS FOR VEHICLES USED FOR THE TRANSPORT OF GOODS IN ACCORDANCE WITH ARTICLE 466 OF THIS AGREEMENT

SECTION 1

WEIGHTS AND DIMENSIONS

ARTICLE 1

Subject matter and principles

The maximum weights and dimensions of the vehicles that may be used for journeys referred to in Article 462 of this Agreement are those set out in Appendix 31-C-1-1.

ARTICLE 2

Definitions

For the purposes of this Section, the following definitions apply:

- (a) "motor vehicle" means any power-driven vehicle which travels on the road by its own means;

- (b) "trailer" means any vehicle intended to be coupled to a motor vehicle excluding semitrailers, and constructed and equipped for the carriage of goods;
- (c) "semi-trailer" means any vehicle intended to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle with a substantial part of its weight and of the weight of its load being borne by the motor vehicle, and constructed and equipped for the carriage of goods;
- (d) "vehicle combination" means either:
 - a road train consisting of a motor vehicle coupled to a trailer; or
 - an articulated vehicle consisting of a motor vehicle coupled to a semi-trailer;
- (e) "conditioned vehicle" means any vehicle whose fixed or movable superstructures are specially equipped for the carriage of goods at controlled temperatures and whose side walls, inclusive of insulation, are each at least 45 mm thick;
- (f) "maximum authorised dimensions" means the maximum dimensions for use of a vehicle;
- (g) "maximum authorised weight" means the maximum weight for use of a laden vehicle;
- (h) "maximum authorised axle weight" means the maximum weight for use of a laden axle or group of axles;

- (i) "tonne" means the weight executed by the mass of a tonne and shall correspond to 9.8 kilonewtons (kN);
- (j) "indivisible load" means a load that cannot, for the purpose of carriage by road, be divided into two or more loads without undue expense or risk of damage and which owing to its dimensions or mass cannot be carried by a motor vehicle, trailer, road train or articulated vehicle complying with this Section in all respects;
- (k) "alternative fuels" means fuels or power sources which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to its decarbonisation and enhance the environmental performance of the transport sector, consisting of:
 - (i) electricity consumed in all types of electric vehicles;
 - (ii) hydrogen;
 - (iii) natural gas, including biomethane, in gaseous form (Compressed Natural Gas — CNG) and liquefied form (Liquefied Natural Gas — LNG);
 - (iv) Liquefied Petroleum Gas (LPG);
 - (v) mechanical energy from on-board storage/on-board sources, including waste heat,
- (l) "alternatively fuelled vehicle" means a motor vehicle powered wholly or in part by an alternative fuel;

- (m) "zero-emission vehicle" means a heavy goods vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1 g CO₂/kWh; and
- (n) "intermodal transport operation" means the transport of one or more containers or swap bodies, with a length of no more than 45 feet, where the lorry, trailer, semi-trailer (with or without tractor unit), swap body or container uses the road on the initial and/or final leg of the journey and, on the other leg, rail or inland waterway or maritime services.

ARTICLE 3

Special permits

A vehicle or vehicle combination which exceeds the maximum weights or dimensions set out in Appendix 31-C-1-1 may only be allowed to circulate on the basis of a special permit issued without discrimination by the competent authorities, or on the basis of similar non-discriminatory arrangements agreed on a case-by-case basis with those authorities, where these vehicles or vehicle combinations carry or are intended to carry indivisible loads.

ARTICLE 4

Local restrictions

This Section shall not preclude the non-discriminatory application of road traffic provisions in force in each Party which permit the weight and/or dimensions of vehicles on certain roads or civil engineering structures to be limited.

This includes the possibility to impose local restrictions on maximum authorised dimensions and/or weights of vehicles that may be used in specified areas or on specified roads, where the infrastructure is not suitable for long and heavy vehicles, such as city centres, small villages or places of special natural interest.

ARTICLE 5

Aerodynamic devices attached to the rear of vehicles or vehicle combinations

1. Vehicles or vehicle combinations equipped with aerodynamic devices may exceed the maximum lengths provided for in point 1.1 of Appendix 31-C-1-1, to allow the addition of such devices to the rear of vehicles or vehicle combinations. Vehicles or vehicle combinations equipped with such devices shall comply with point 1.5 of Appendix 31-C-1-1, and any exceeding of the maximum lengths shall not result in an increase in the loading length of those vehicles or vehicle combinations.

2. The aerodynamic devices referred to in paragraph 1 shall fulfil the following operational conditions:
- (a) in circumstances where the safety of other road users or of the driver is at risk, they shall be folded, retracted or removed by the driver;
 - (b) when aerodynamic devices and equipment exceed 500 mm in length in the in-use position they shall be retractable or foldable;
 - (c) their use on urban and inter urban road infrastructures shall take into account the special characteristics of areas where the speed limit is less than or equal to 50 km/h and where vulnerable road users are more likely to be present; and
 - (d) when retracted/folded, they shall not exceed the maximum authorised length by more than 20 cm.

ARTICLE 6

Aerodynamic cabins

Vehicles or vehicle combinations may exceed the maximum lengths laid down in point 1.1 of Appendix 31-C-1-1 provided that their cabs deliver improved aerodynamic performance, energy efficiency and safety performance. Vehicles or vehicle combinations equipped with such cabs shall comply with point 1.5 of Appendix 31-C-1-1 and any exceeding of the maximum lengths shall not result in an increase in the load capacity of those vehicles.

ARTICLE 7

Intermodal transport operations

1. The maximum lengths laid down in point 1.1 of Appendix 31-C-1-1, subject where applicable to Article 6, and the maximum distance laid down in point 1.6 of Appendix 31-C-1-1, may be exceeded by 15 cm for vehicles or vehicle combinations engaged in the transport of 45-foot containers or 45-foot swap bodies, empty or loaded, provided that the road transport of the container or swap body in question is part of an intermodal transport operation carried out according to the conditions set by each Party.
2. For intermodal transport operations, the maximum authorised vehicle weight for articulate vehicles with five or six axles may be exceeded by two tonnes in the combination set out in point 2.2.2(a) of Appendix 31-C-1-1 and by four tonnes in the combination set out in point 2.2.2(b) of Appendix 31-C-1-1. The maximum authorised vehicle weight of these vehicles may not exceed 44 tonnes.

ARTICLE 8

Proof of compliance

1. As proof of compliance with this Section, vehicles covered by it shall carry one of the following proofs:

- (a) a combination of the following two plates:
- the manufacturer's statutory plate, which is a plate or label, affixed by the manufacturer on a vehicle that provides the main technical characteristics which are necessary for the identification of the vehicle and provides the competent authorities with the relevant information concerning the permissible maximum laden masses; and
 - a plate relating to dimensions as far as possible affixed next to the manufacturer's statutory plate and containing the following information:
 - (i) name of the manufacturer;
 - (ii) vehicle identification number;
 - (iii) length of the motor vehicle, trailer or semi-trailer (L);
 - (iv) width of the motor vehicle, trailer or semi-trailer (W); and
 - (v) data for the measurement of the length of vehicle combinations:
 - the distance (a) between the front of the motor vehicle and the centre of the coupling device (coupling hook or fifth wheel); in the case of a fifth wheel with several coupling points, the minimum and maximum values must be given (a_{\min} and a_{\max});

- the distance (b) between the centre of the coupling device of the trailer (fifth wheel ring) or of the semi-trailer (king pin) and the rear of the trailer or of the semi-trailer; in the case of a device with several coupling points, the minimum and maximum values must be given (b_{\min} and b_{\max});

The length of vehicle combinations is the length of the motor vehicle and trailer or semi-trailer placed in a straight line behind each other.

- (b) a single plate containing the information on the two plates referred to in point (a); or
 - (c) a single document issued by the competent authorities of a Party or, in the case of the Union, the Member State where the vehicle is registered or put into circulation containing the same information as the plates referred to in point (a). It shall be kept in a place easily accessible to inspection and shall be adequately protected.
2. If the characteristics of the vehicle no longer correspond to those indicated on the proof of compliance, the Party or, in the case of the Union, the Member State in which the vehicle is registered or put into circulation shall take the necessary steps to ensure that the proof of compliance is altered.
 3. The plates and documents referred to in paragraph 1 shall be recognised by the Parties as the proof of vehicle compliance provided for in this Section.

ARTICLE 9

Enforcement

1. Each Party shall take specific measures to identify vehicles or vehicle combinations in circulation that are likely to have exceeded the maximum authorised weight and that shall therefore be checked by the competent authorities of the Parties in order to ensure compliance with the requirements of this Section. This can be done with the aid of automatic systems set up on the road infrastructure, or by means of on-board weighing equipment installed in vehicles. Such on-board weighing equipment shall be accurate and reliable, fully interoperable and compatible with all vehicle types.
2. A Party shall not require on-board weighing equipment to be installed on vehicles or vehicle combinations which are registered in the other Party.
3. Where automatic systems are used to establish infringements of this Section and to impose penalties, such automatic systems shall be certified. Where automatic systems are used only for identification purposes, they need not be certified.
4. The Parties shall, in accordance with Article 14 of Section 1 of Part A, ensure that their competent authorities exchange information about infringements and penalties relating to this Article.

MAXIMUM WEIGHTS AND DIMENSIONS
AND RELATED CHARACTERISTICS OF VEHICLES

1. Maximum authorised dimensions for vehicles (in metre; "m")
 - 1.1 Maximum length:
 - motor vehicle 12.00 m
 - trailer 12.00 m
 - articulated vehicle 16.50 m
 - road train 18.75 m
 - 1.2 Maximum width:
 - (a) all vehicles except the vehicles referred to in point (b) 2.55 m
 - (b) superstructures of conditioned vehicles or conditioned containers or swap bodies transported by vehicles 2.60 m
 - 1.3 Maximum height (any vehicle) 4.00 m

1.4 Removable superstructures and standardised freight items such as containers are included in the dimensions specified in points 1.1, 1.2, 1.3, 1.6, 1.7, 1.8 and 4.4

1.5 Any motor vehicle or vehicle combination which is in motion must be able to turn within a swept circle having an outer radius of 12.50 m and an inner radius of 5.30 m

1.6 Maximum distance between the axis of the fifth-wheel king pin and the rear of a semi-trailer 12.00 m

1.7 Maximum distance measured parallel to the longitudinal axis of the road train from the foremost external point of the loading area behind the cabin to the rearmost external point of the trailer of the combination, minus the distance between the rear of the drawing vehicle and the front of the trailer 15.65 m

1.8 Maximum distance measured parallel to the longitudinal axis of the road train from the foremost external point of the loading area behind the cabin to the rearmost external point of the trailer of the combination 16.40 m

2. Maximum authorised vehicle weight (in tonnes)

2.1 Vehicles forming part of a vehicle combination

2.1.1 Two-axle trailer 18 tonnes

2.1.2 Three-axle trailer 24 tonnes

2.2 Vehicle combinations

In the case of vehicle combinations including alternatively fuelled or zero-emission vehicles, the maximum authorised weights provided for in this Section are increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.

2.2.1 Road trains with five or six axles

- | | |
|---|-----------|
| (a) two-axle motor vehicle with three-axle trailer | 40 tonnes |
| (b) three-axle motor vehicle with two or three-axle trailer | 40 tonnes |

2.2.2 Articulated vehicles with five or six axles

- | | |
|---|-----------|
| (a) two-axle motor vehicle with three-axle semi-trailer | 40 tonnes |
| (b) three-axle motor vehicle with two
or three-axle semi-trailer | 40 tonnes |

2.2.3 Road trains with four axles consisting of a two-axle motor vehicle and a two-axle trailer

36 tonnes

2.2.4 Articulated vehicles with four axles consisting of a two-axle motor vehicle and a two-axle semi-trailer, if the distance between the axles of the semi-trailer:

- is 1.3 m or greater but not more than 1.8 m 36 tonnes

- is greater than 1.8 m 36 tonnes
(+ 2 tonnes margin when the maximum authorised weight (MAW) of the motor vehicle (18 tonnes) and the MAW of the tandem axle of the semi-trailer (20 tonnes) are respected and the driving axle is fitted with twin tyres and air suspension or equivalent suspension)

2.3 Motor vehicles

In the case of alternatively fuelled motor vehicles or zero-emission vehicles, the maximum authorised weights provided for in subsections 2.3.1 and 2.3.2 are increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.

2.3.1 Two-axle motor vehicles 18 tonnes

2.3.2 Three-axle motor vehicles

25 tonnes (26 tonnes where the driving axle is fitted with twin tyres and air suspension or equivalent suspension, or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9.5 tonnes)

2.3.3 Four-axle motor vehicles with two steering axles

32 tonnes where the driving axle is fitted with twin tyres and air suspension or equivalent suspension, or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9.5 tonnes

3. Maximum authorised axle weight of the vehicles (in tonnes)

3.1 Single axles

Single non-driving axle 10 tonnes

3.2 Tandem axles of trailers and semi-trailers

The sum of the axle weights per tandem axle must not exceed, if the distance (d) between the axles is:

- less than 1 m ($d < 1.0$) 11 tonnes
- between 1.0 m and less than 1.3 m ($1.0 \leq d < 1.3$) 16 tonnes
- between 1.3 m and less than 1.8 m ($1.3 \leq d < 1.8$) 18 tonnes
- 1.8 m or more ($1.8 \leq d$) 20 tonnes

3.3 Tri-axles of trailers and semi-trailers

The sum of the axle weights per tri-axle must not exceed, if the distance (d) between the axles is:

- 1.3 m or less ($d \leq 1.3$) 21 tonnes
- over 1.3 m and up to 1.4 m ($1.3 < d \leq 1.4$) 24 tonnes

3.4 Driving axle

Driving axle of the vehicles referred to in points 2.2 and 2.3 11.5 tonnes

3.5 Tandem axles of motor vehicles

The sum of the axle weights per tandem axle must not exceed, if the distance (d) between the axles is:

- less than 1 m ($d < 1.0$) 11.5 tonnes
- 1.0 m or greater but less than 1.3 m ($1.0 \leq d < 1.3$) 16 tonnes
- 1.3 m or greater but less than 1.8 m ($1.3 \leq d < 1.8$) 18 tonnes (19 tonnes where the driving axle is fitted with twin tyres and air suspension or equivalent suspension, or where each driving axle is fitted with twin tyres and where the maximum weight for each axle does not exceed 9.5 tonnes)

4. Other characteristics of the vehicles

4.1 All vehicles

The weight borne by the driving axle or driving axles of a vehicle or vehicle combination must not be less than 25 % of the total laden weight of the vehicle or vehicle combination.

4.2 Road trains

The distance between the rear axle of a motor vehicle and the front axle of a trailer must not be less than 3.00 m.

4.3 Maximum authorised weight depending on the wheelbase

The maximum authorised weight in tonnes of a four-axle motor vehicle may not exceed five times the distance in metres between the axes of the foremost and rearmost axles of the vehicle.

4.4 Semi-trailers

The distance measured horizontally between the axis of the fifth-wheel king pin and any point at the front of the semi-trailer must not exceed 2.04 m.

SECTION 2

REQUIREMENTS FOR TACHOGRAPHS, DRIVERS' CARDS AND WORKSHOP CARDS

ARTICLE 1

Subject-matter and principles

This Section lays down the requirements for vehicles within the scope of Section 2 of Part B of this Annex regarding the installation, testing, and control of tachographs, as referred to in Article 466(2) of this Agreement.

ARTICLE 2

Definitions

1. For the purposes of this Section, the definitions set out in Article 2 of Section 2 and in Article 2 of Section 4 of Part B of this Annex apply.

2. In addition to the definitions referred to in paragraph 1, for the purposes of this Section the following definitions apply:
- (a) "vehicle unit" means the tachograph excluding the motion sensor and the cables connecting the motion sensor. The vehicle unit may be a single unit or several units distributed in the vehicle, provided that it complies with the security requirements of this Section; the vehicle unit includes, among other things, a processing unit, a data memory, a time measurement function, two smart card interface devices for driver and co-driver, a printer, a display, connectors and facilities for entering the user's inputs;
 - (b) "motion sensor" means a part of the tachograph providing a signal representative of vehicle speed and/or distance travelled;
 - (c) "control card" means a tachograph card issued by the authorities of a Party to a national competent control authority which identifies the control body and, optionally, the control officer, and which allows access to the data stored in the data memory or in the driver cards and, optionally, in the workshop cards for reading, printing and/or downloading;
 - (d) "workshop card" means a tachograph card issued by the authorities of a Party to designated staff of a tachograph manufacturer, a fitter, a vehicle manufacturer or a workshop, approved by that Party, which identifies the cardholder and allows for the testing, calibration and activation of tachographs, and/or downloading from them;

- (e) "activation" means the phase in which the tachograph becomes fully operational and implements all functions, including security functions, through the use of a workshop card;
- (f) "calibration" means, with regard to the digital tachograph, updating or confirming vehicle parameters, including vehicle identification and vehicle characteristics, to be held in the data memory through the use of a workshop card;
- (g) "downloading" from a digital or smart tachograph means the copying, together with the digital signature, of a part, or of a complete set, of data files recorded in the data memory of the vehicle unit or in the memory of a tachograph card, provided that this process does not alter or delete any stored data;
- (h) "fault" means an abnormal operation detected by the digital tachograph which may result from an equipment malfunction or failure;
- (i) "installation" means the mounting of a tachograph in a vehicle;
- (j) "periodic inspection" means a set of operations performed to check that the tachograph works properly, that its settings correspond to the vehicle parameters, and that no manipulation devices are attached to the tachograph;
- (k) "repair" means any repair of a motion sensor or of a vehicle unit that requires the disconnection of its power supply, or its disconnection from other tachograph components, or the opening of the motion sensor or vehicle unit;

- (l) "interoperability" means the capacity of systems and the underlying business processes to exchange data and to share information;
- (m) "interface" means a facility between systems which provides the media through which they can connect and interact;
- (n) "time measurement" means a permanent digital record of the coordinated universal date and time (UTC); and
- (o) "TACHOnet messaging system" means the messaging system complying with the technical specifications laid down in Annexes I to VII of Commission Implementing Regulation (EU) 2016/68¹.

ARTICLE 3

Installation

1. Tachographs as referred to in paragraph 2 shall be installed in vehicles:
 - (a) where the maximum permissible mass of the vehicle, including any trailer, or semitrailer, exceeds 3.5 tonnes; or

¹ Commission Implementing Regulation (EU) 2016/68 of 21 January 2016 on common procedures and specifications necessary for the interconnection of electronic registers of driver cards (OJ EU L 15, 22.1.2016, p. 51).

- (b) from 1 July 2026, where the maximum permissible mass of the vehicle, including any trailer, or semi-trailer, exceeds 2.5 tonnes.

2. The tachographs are:

- (a) for vehicles put into service for the first time before 1 May 2006, an analogue tachograph;
- (b) for vehicles put into service for the first time between 1 May 2006 and 30 September 2011, the first version of the digital tachograph;
- (c) for vehicles put into service for the first time between 1 October 2011 and 30 September 2012, the second version of the digital tachograph;
- (d) for vehicles put into service for the first time between 1 October 2012 and 14 June 2019, the third version of the digital tachograph;
- (e) for vehicles registered for the first time from 15 June 2019 and until 2 years after the entry into force of the detailed specifications referred to in Article 2(2)(g) of Section 4 of Part B, a smart tachograph 1; and
- (f) for vehicles registered for the first time more than 2 years after the entry into force of the detailed specifications referred to in Article 2(2)(h) of Section 4 of Part B, a smart tachograph 2.

3. Each Party may exempt from the application of this Section the vehicles mentioned in Article 8(3) of Section 2 of Part B of this Annex.
4. Each Party may exempt from the application of this Section vehicles used for transport operations which have been granted an exception in accordance with Article 8(4) of Section 2 of Part B of this Annex. Each Party shall immediately notify each other when making use of this paragraph.
5. No later than three years from the end of the year of entry into force of the detailed technical specifications of the smart tachograph 2, vehicles mentioned in point (a) of paragraph 1 which are equipped with an analogue tachograph or a digital tachograph shall be fitted with a smart tachograph 2 when operating on the territory of a Party other than the one where they are registered.
6. No later than four years after the entry into force of the detailed technical specifications of the smart tachograph 2, vehicles mentioned in point (a) of paragraph 1 equipped with a smart tachograph 1, shall be equipped with a smart tachograph 2 when operating on the territory of a Party other than the one where they are registered.
7. From 1 July 2026, vehicles mentioned in point (b) of paragraph 1 shall be equipped with a smart tachograph 2 when operating on the territory of a Party other than the one where they are registered.
8. Nothing in this Section shall affect the application on the Union territory of the Union rules on recording equipment in road transport to Union road haulage operators.

ARTICLE 4

Data protection

1. Each Party shall ensure that the processing of personal data in the context of this Section is carried out solely for the purpose of verifying compliance with this Section.
2. Each Party shall, in particular, ensure that personal data are protected against uses other than the one strictly referred to in paragraph 1 in relation to:
 - (a) the use of a global navigation satellite system (GNSS) for the recording of location data as referred to in the technical specification for smart tachograph 1 and smart tachograph 2;
 - (b) the electronic exchange of information on driver cards as referred to in Article 13, and in particular any cross-border exchanges of such data with third Parties; and
 - (c) the keeping of records by road haulage operators as referred to in Article 15.
3. Digital tachographs shall be designed in such a way as to ensure privacy. Only data necessary for the purposes referred to in paragraph 1 shall be processed.
4. Owners of vehicles, road haulage operators and any other entity concerned shall comply with the relevant provisions on the protection of personal data.

ARTICLE 5

Installation and repair

1. Tachographs may be installed or repaired only by fitters, workshops or vehicle manufacturers approved by the competent authorities in a Party for that purpose in accordance with Article 7.
2. Approved fitters, workshops or vehicle manufacturers shall seal the tachograph after having verified that it is functioning properly, and, in particular, in such a way as to ensure that no manipulation device can tamper with or alter the data recorded.
3. The approved fitter, workshop or vehicle manufacturer shall place a special mark on the seals which it affixes and, in addition, for digital, smart 1 and smart 2 tachographs, shall enter the electronic security data for carrying out authentication checks. Each Party shall keep and publish a register of the marks and electronic security data used and the necessary information related to the electronic security data used.
4. For the purpose of certifying that the installation of the tachograph took place in accordance with the requirements of this Section, an installation plaque shall be affixed in such a way as to be clearly visible and easily accessible.
5. Tachograph components shall be sealed. Any connections to the tachograph which are potentially vulnerable to tampering, including the connection between the motion sensor and the gearbox, and the installation plaque where relevant, shall be sealed.

A seal shall be removed or broken only:

- by fitters or workshops approved by the competent authorities under Article 7 for repair, maintenance or recalibration purposes of the tachograph, or by control officers properly trained and, where required authorised, for control purposes; or
- for the purpose of vehicle repair or modification which affects the seal. In such cases, a written statement stating the date and time at which the seal was broken and giving the reasons for the seal removal shall be kept on board the vehicle.

The removed or broken seals shall be replaced by an approved fitter or a workshop without undue delay and at the latest within seven days of their removal or breaking. When the seals have been removed or broken for control purposes, they may be replaced by a control officer equipped with sealing equipment and a unique special mark without undue delay.

When a control officer removes a seal, the control card shall be inserted in the tachograph from the moment of the removal of the seal until the inspection is finished, including in the case of the placement of a new seal. The control officer shall issue a written statement containing at least the following information:

- vehicle identification number;
- name of the officer;
- control authority and country;

- number of the control card;
- number of the removed seal;
- date and time of seal removal; and
- number of the new seal, where the control officer has placed a new seal.

Before replacing the seals, a check and calibration of the tachograph shall be performed by an approved workshop, except where a seal has been removed or broken for control purposes and replaced by a control officer.

ARTICLE 6

Inspections of tachographs

1. Tachographs shall be subject to regular inspection by approved workshops. Regular inspections shall be carried out at least every two years.
2. The inspections referred to in paragraph 1 shall check at least the following:
 - the tachograph is correctly fitted and appropriate for the vehicle;
 - the tachograph is working properly;

- the tachograph carries the type-approval mark;
 - the installation plaque is affixed;
 - all seals are intact and effective;
 - there are no manipulation devices attached to the tachograph or traces of the use of such devices; and
 - the tyre size and the actual circumference of the tyres.
3. Workshops shall draw up an inspection report in cases where irregularities in the functioning of the tachograph had to be remedied, whether as a result of a periodic inspection or of an inspection carried out at the specific request of the national competent authority. They shall keep a list of all inspection reports drawn up.
4. Inspection reports shall be retained for a minimum period of two years from the time the report was made. Each Party shall decide whether inspection reports are to be retained or sent to the competent authority during that period. In cases where the inspection reports are kept by the workshop, upon request from the competent authority, the workshop shall make available the reports of inspections and calibrations carried out during that period.

ARTICLE 7

Approval of fitters, workshops and vehicle manufacturers

1. Each Party or, in the case of the Union, each Member State shall approve, regularly control and certify the fitters, workshops and vehicle manufacturers which may carry out installations, checks, inspections and repairs of tachographs.
2. Each Party or, in the case of the Union, each Member State shall ensure that fitters, workshops and vehicle manufacturers are competent and reliable. For that purpose, they shall establish and publish a set of clear national procedures and shall ensure that the following minimum criteria are met:
 - (a) the staff are properly trained;
 - (b) the equipment necessary to carry out the relevant tests and tasks is available; and
 - (c) the fitters, workshops and vehicle manufacturers are of good repute.
3. Audits of approved fitters or workshops shall be carried out as follows:
 - (a) approved fitters or workshops shall be subject, at least every two years, to an audit of the procedures they apply when handling tachographs. The audit shall focus in particular on the security measures taken and the handling of workshop cards. Parties or, in the case of the Union, Member States may carry out these audits without conducting a site visit; and

- (b) unannounced technical audits of approved fitters or workshops shall also take place in order to check the calibrations, inspections and installations carried out. Those audits shall cover at least 10 % of the approved fitters and workshops annually.
- 4. Each Party and their competent authorities shall take appropriate measures to prevent conflicts of interests between fitters or workshops and road haulage operators. In particular, where there is a serious risk of a conflict of interests, additional specific measures shall be taken to ensure that the fitter or workshop complies with this Section.
- 5. The competent authorities of each Party shall withdraw approvals, either temporarily or permanently, from fitters, workshops and vehicle manufacturers which fail to meet their obligations under this Section.

ARTICLE 8

Workshop cards

1. The period of validity of workshop cards shall not exceed one year. When renewing the workshop card, the competent authority shall ensure that the criteria listed in Article 7(2) are met by the fitter, workshop or vehicle manufacturer.
2. The competent authority shall renew a workshop card within 15 working days after receipt of a valid renewal request and all the necessary documentation. If a workshop card is damaged, malfunctions, or is lost or stolen, the competent authority shall supply a replacement card within five working days of receiving a detailed request to that effect. Competent authorities shall maintain a register of lost, stolen or defective cards.

3. If a Party or, in the case of the Union, a Member State withdraws the approval of a fitter, workshop or vehicle manufacturer as provided for in Article 7, it shall also withdraw the workshop cards issued thereto.
4. Each Party shall take all necessary measures to prevent the workshop cards distributed to approved fitters, workshops and vehicle manufacturers from being falsified.

ARTICLE 9

Issuing of driver cards

1. Driver cards shall be issued, at the request of the driver, by the competent authority in a Party where the driver has his normal residence. Where the competent authorities in a Party issuing the driver card have doubts as to the validity of a statement as to normal residence, or for the purpose of certain specific controls, they may request any additional information or evidence from the driver.

For the purposes of this Article, "normal residence" means the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living.

However, the normal residence of a person whose occupational ties are in a place different from their personal ties and who consequently lives in turn in different places situated in the two Parties shall be regarded as being the place of their personal ties, provided that such person returns there regularly. This last condition need not be complied with where the person is living in a Party in order to carry out a fixed-term assignment.

2. In duly justified and exceptional cases, each Party or, in the case of the Union, a Member State may issue a temporary and non-renewable driver card valid for a maximum period of 185 days to a driver who does not have his normal residence in a Party, provided that such driver is in a labour law relationship with an undertaking established in the issuing Party and, in so far, presents a driver attestation when required.
3. The competent authorities of the issuing Party shall take appropriate measures to ensure that an applicant does not already hold a valid driver card and shall personalise the driver card, ensuring that its data are visible and secure.
4. The driver card shall not be valid for more than five years.

5. A valid driver card shall not be withdrawn or suspended unless the competent authorities of a Party find that the card has been falsified, or the driver is using a card of which he is not the holder, or the card held has been obtained on the basis of false declarations and/or forged documents. If such suspension or withdrawal measures are taken by a Party or, in the case of the Union, a Member State other than the issuing Party or, in the case of the Union, other than the issuing Member State, the former shall return the card to the authorities of the Party or, in the case of the Union, the authorities of the Member State which issued it, as soon as possible, indicating the reasons for the withdrawal or suspension. If the return of the card is expected to take longer than two weeks, the suspending or withdrawing Party or, in the case of the Union, the suspending or withdrawing Member State shall inform the issuing Party or, in the case of the Union, the issuing Member State within those two weeks of the reasons for suspension or withdrawal.
6. The competent authority of the issuing Party may require a driver to replace the driver card by a new one if this is necessary to comply with the relevant technical specifications.
7. Each Party shall take all necessary measures to prevent driver cards from being falsified.
8. This Article shall not prevent a Party or, in the case of the Union, a Member State from issuing a driver card to a driver who has his normal residence in a part of that Party's territory, to which this Annex does not apply, provided that the relevant provisions of this Section are applied in such cases.

ARTICLE 10

Renewal of driver cards

1. Where, in the case of renewals, the Party of the driver's normal residence is different from that which issued his current card, and where the authorities of the former Party are requested to renew the driver card, they shall inform the authorities which issued the earlier card of the reasons for its renewal.
2. In the event of a request for the renewal of a card which is imminently about to expire, the competent authority shall supply a new card before the expiry date, provided that the request was sent within the time-limits laid down in Article 5 of Section 4 of Part B.

ARTICLE 11

Stolen, lost or defective driver cards

1. Issuing authorities shall keep records of issued, stolen, lost or defective driver cards for a period at least equivalent to their period of validity.
2. If the driver card is damaged, malfunctions or is lost or stolen, the competent authorities in the Party of his normal residence shall supply a replacement card within eight working days after their receipt of a detailed request to that effect.

ARTICLE 12

Mutual acceptance of driver cards

1. Each Party shall accept the driver cards issued by the other Party.
2. Where the holder of a valid driver card issued by a Party has established his normal residence in the other Party and has asked for his card to be exchanged for an equivalent driver card, it shall be the responsibility of the Party or, in the case of the Union, the Member State which carries out the exchange to verify whether the card produced is still valid.
3. Parties or, in the case of the Union, Member States carrying out an exchange shall return the old card to the authorities of the issuing Party or, in the case of the Union, the issuing Member State and indicate the reasons for so doing.
4. Where a Party or, in the case of the Union, a Member State replaces or exchanges a driver card, the replacement or exchange, and any subsequent replacement or exchange, shall be registered in that Party or, in the case of the Union, in that Member State.

ARTICLE 13

Electronic exchange of information on driver cards

1. In order to ensure that an applicant does not already hold a valid driver card, Parties or, in the case of the Union, Member States shall maintain national electronic registers containing the following information on driver cards for a period at least equivalent to the period of validity of those cards:
 - surname and first name of the driver;
 - birth date and, if available, place of birth of the driver;
 - valid driving licence number and country of issue of the driving licence (if applicable);
 - status of the driver card; and
 - driver card number.

2. The electronic registers of the Parties or, in the case of the Union, the Member States shall be interconnected and accessible throughout the territory of the Parties, using the TACHOnet messaging system or a compatible system. In the case of the use of a compatible system, the exchange of electronic data with the other Party shall be possible through the TACHOnet messaging system.

3. When issuing, replacing and, where necessary, renewing a driver card, Parties or, in the case of the Union, Member States shall verify through electronic data exchange that the driver does not already hold another valid driver card. The data exchanged shall be limited to the data necessary for the purpose of this verification.
4. Control officers may have access to the electronic register in order to check the status of a driver card.

ARTICLE 14

Settings of tachographs

1. Digital tachographs shall not be set in such a way that they automatically switch to a specific category of activity when the vehicle's engine or ignition is switched off, unless the driver remains able to choose manually the appropriate category of activity.
2. Vehicles shall not be fitted with more than one tachograph, except for the purposes of field tests.
3. Each Party shall forbid the production, distribution, advertising and/or selling of devices constructed and/or intended for the manipulation of tachographs.

ARTICLE 15

Responsibility of road haulage operators

1. Road haulage operators shall be responsible for ensuring that their drivers are properly trained and instructed as regards the correct functioning of tachographs, whether digital, smart or analogue, shall make regular checks to ensure that their drivers make correct use thereof, and shall not give to their drivers any direct or indirect incentives that could encourage the misuse of tachographs.

Road haulage operators shall issue a sufficient number of record sheets to drivers of vehicles fitted with analogue tachographs, taking into account the fact that record sheets are personal in character, the length of the period of service and the possible need to replace record sheets which are damaged or have been taken by an authorised control officer. Road haulage operators shall issue to drivers only record sheets of an approved model suitable for use in the equipment installed in the vehicle.

The road haulage operator shall ensure that, taking into account the length of the period of service, the printing of data from the tachograph at the request of a control officer can be carried out correctly in the event of an inspection.

2. Road haulage operators shall keep record sheets and printouts, whenever printouts have been made to comply with Article 9 of Section 4 of Part B of this Annex, in chronological order and in a legible form, for at least a year after their use, and shall give copies to the drivers concerned who request them. Road haulage operators shall also give copies of data downloaded from driver cards to the drivers concerned who request them, together with printed paper versions of those copies. Record sheets, printouts and downloaded data shall be produced or handed over at the request of any authorised control officer.
3. Road haulage operators shall be liable for infringements of this Section and of Section 4 of Part B of this Annex committed by their drivers or by drivers at their disposal. However, each Party may make such liability conditional on the road haulage operator's infringement of the first subparagraph of paragraph 1 of this Article and Article 7(1) and (2) of Section 2 of Part B of this Annex.

ARTICLE 16

Procedures for road haulage operators in the event of malfunctioning equipment

1. In the event of the breakdown or faulty operation of a tachograph, the road haulage operator shall have it repaired by an approved fitter or workshop, as soon as circumstances permit.
2. If the vehicle is unable to return to the road haulage operator's premises within a period of one week calculated from the day of the breakdown or of the discovery of defective operation, the repair shall be carried out en route.

3. Each Party or, in the case of the Union, the Member States shall give the competent authorities power to prohibit the use of the vehicle in cases where the breakdown or faulty operation has not been remedied as provided in paragraphs 1 and 2 in so far as this is in accordance with the national legislation in the Party concerned.

ARTICLE 17

Procedure for the issuing of tachograph cards

The European Commission shall provide to the competent authorities of the United Kingdom the cryptographic material for the issuing of tachograph cards for drivers, workshops and control authorities, in accordance with the European Root Certification Authority (ERCA) certificate policy and the certificate policy of the United Kingdom.

**MODEL OF AUTHORISATION FOR AN INTERNATIONAL REGULAR
AND SPECIAL REGULAR SERVICE**

(First page of authorisation)

(Orange paper – DIN A4)

(To be worded in the official language(s) or one of the official languages of the Party where the request is made)

Authorisation

In accordance with Title II of Heading Three of Part Two of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part,

ISSUING STATE:

Authorising authority:

Issuing State distinguishing sign: (1)

AUTHORISATION No.: for a regular service (2) for a special regular service (2)

by coach and bus between the Parties to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part,

To:
.....

Last name, first name or trade name of the operator or of the managing operator in the case of a group of undertakings or in the case of a partnership:

Address:
.....
.....

Telephone and fax or e-mail:
.....
.....

¹ Austria (A), Belgium (B), Bulgaria (BG), Cyprus (CY), Croatia (HR), Czech Republic (CZ), Denmark (DK), Estonia (EST), Finland (FIN), France (F), Germany (D), Greece (GR), Hungary (H), Ireland (IRL), Italy (I), Latvia (LV), Lithuania (LT), Luxembourg (L), Malta (MT), Netherlands (NL), Poland (PL), Portugal (P), Romania (RO), Slovak Republic (SK), Slovenia (SLO), Spain (E), Sweden (S), United Kingdom (UK), to be completed/

² Tick or complete as appropriate.

(Second page of authorisation)

Name, address, telephone and fax or e-mails of the operator, or, in the case of groups of operators or partnerships, the names of all operators of the group or of the partnership; in addition, names of any subcontractors, to be identified as such:

- (1)
- (2)
- (3)
- (4)
- (5)

List attached, if appropriate

Validity of the authorisation: From: To:

Place and date of issue:

Signature and stamp of the issuing authority or agency:

1. Route:

(a) Place of departure of service:

(b) Place of destination of service:

Principal itinerary, with passenger pick-up and set-down points underlined:

2. Timetable:

(attached to this authorisation)

3. Special regular service:

(a) Category of passengers:

4. Other conditions or special points

Stamp of authority issuing the authorisation

Important notice:

- (1) This authorisation is valid for the entire journey.
- (2) The authorisation or a true copy certified by the issuing authorising authority shall be kept on the vehicle for the duration of the journey and shall be presented to enforcement officials on request.
- (3) The departure or destination shall take place in the territory of the Party where the operator is established and the coaches and buses registered.

(Third page of authorisation)

GENERAL CONSIDERATIONS

- (1) The road passenger transport operator shall begin the transport service within the period indicated in the decision of the authorising authority granting the authorisation.
- (2) Except in the event of *force majeure*, the operator of an international regular or special regular service shall take all measures to guarantee a transport service that complies with the conditions as stipulated in the authorisation.
- (3) The operator shall make the information about the route, the stopping points, the timetable, the fares and the conditions of transport publicly available.
- (4) Without prejudice to documents pertaining to the vehicle and driver (such as the vehicle registration certificate and driving licence), the following documents shall serve as control documents required under Article 477 of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part and shall be kept in the vehicle and presented at the request of any authorised inspecting officer:
 - the authorisation or a certified true copy thereof to carry out international regular or special regular services;
 - the operator's licence or a certified true copy thereof for the international carriage of passengers by road provided for according to the United Kingdom or Union legislation;
 - when operating an international special regular service, the contract between the organiser and the transport operator or a certified true copy thereof as well as a document evidencing that the passengers constitute a specific category to the exclusion of other passengers for the purposes of a special regular service;
 - when the operator of a regular or special regular service uses additional vehicles to deal with temporary and exceptional situations, in addition to the relevant documents mentioned above, a copy of the contract between the operator of the international regular or special regular service and the undertaking providing the additional vehicles or an equivalent document.

(Fourth page of authorisation)

GENERAL CONSIDERATIONS (cont.)

- (5) Operators operating an international regular service, with the exclusion of special regular service, shall issue transport tickets confirming the rights of the passenger to be transported and serving as a control document evidencing of the conclusion of the contract of carriage between the passenger and the transport operator, either individual or collective. The tickets that can also be electronic shall indicate:
- (a) the name of the operator;
 - (b) the points of departure and destination and, if applicable, the return journey;
 - (c) the period of validity of the ticket and, if applicable, the date and time of departure;
 - (d) the price of transport.

The transport ticket shall be presented, by the passenger, at the request of any authorised inspection officer.

- (6) Operators operating international regular or special regular passenger transport services shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods and road safety and emissions.
-

MODEL OF APPLICATION FOR AN AUTHORISATION
FOR AN INTERNATIONAL REGULAR AND SPECIAL REGULAR SERVICE

(White paper – DIN A4)

(To be worded in the official language(s) or one of the official languages of the Party where the request is made)

APPLICATION FORM FOR AN AUTHORISATION OR RENEWAL OF AN AUTHORISATION TO
CARRY OUT AN INTERNATIONAL REGULAR SERVICE OR AN INTERNATIONAL SPECIAL
REGULAR SERVICE⁽¹⁾

- To start a regular service
- To start a special regular service
- To renew authorisation for a service
- To alter the conditions of authorisation for a service

carried out by coach and bus between Parties in accordance with the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part,

.....
(Authorising authority)

1. Name and first name or trade name of the applicant operator; in the case of an application by a group of operators or by a partnership, the name of the operator entrusted by the other operators for the purposes of submitting the application:

.....
.....

2. Services to be carried out⁽¹⁾
By an operator by a group of operators by a partnership by a subcontractor

3. Names and addresses of the operator or, in the case of a group of operators or of a partnership, the names of all operators of the group or of the partnership; in addition, any subcontractors shall be identified by their names⁽²⁾

- 3.1 tel.
- 3.2 tel.
- 3.3 tel.
- 3.4 tel.

¹ Tick or complete as appropriate.
² Attach list if applicable.

(Second page of the application for authorisation or renewal of authorisation)

4 In the case of a special regular service:

4.1 Category of passengers:⁽¹⁾ workers school pupils/students other

5 Duration of authorisation requested or date on which the service ends:

6 Principal route of service (underline passenger pick-up and set-down points, with full addresses):⁽²⁾

7 Period of operation:

8 Frequency (daily, weekly, etc.):

9 Fares Annex attached.

10 Enclose a driving schedule to permit verification of compliance with the international rules on driving times and rest time periods.

11 Number of authorisations or of certified true copies of authorisations requested:⁽³⁾

12 Any additional information:

(Place and date) (Signature of applicant)

The attention of the applicant is drawn to the fact that, since the authorisation or its certified true copy has to be kept on board the vehicle, the number of authorisations or certified true copies, issued by the authorising authority, which the applicant must have should correspond to the number of vehicles needed for carrying out the service requested at the same time.

Important notice

In particular the following must be attached to the application:

- (a) the timetable including the time slots for controls at relevant border crossings;
- (b) a certified true copy of the operator's (or operators') licence(s) for the international carriage of passengers by road provided for according to national or Union legislation;
- (c) a map on an appropriate scale on which are marked the route and the stopping points at which passengers are to be taken up or set down;
- (d) a driving schedule to permit verification of compliance with the international rules on driving times and rest periods;
- (e) any appropriate information concerning coach and bus terminals.

¹ Tick or complete as appropriate.

² The authorising authority may request a full list of passenger pick-up and set-down points with full addresses to be attached separately to this application form.

³ Complete as appropriate/

MODEL OF JOURNEY FORM FOR OCCASIONAL SERVICES

JOURNEY FORM No..... of Book No.....

(colour Pantone 358 (light green), or as close as possible to this colour, format DIN A4 uncoated paper)

OCCASIONAL SERVICES WITH CABOTAGE AND OCCASIONAL SERVICES WITH TRANSIT

(Each item, if necessary, can be supplemented on a separate sheet)

1	 Registration number of the coach Place, date and signature of the carrier			
2	 Carrier and, where appropriate, subcontractor or group of carriers	1. 2. 3.			
3	 Name of driver(s)	1. 2. 3.			
4	Organisation of person responsible for the occasional service	1. 2. 3. 4.			
5	Type of service	<input type="checkbox"/> Occasional service with cabotage <input type="checkbox"/> Occasional service with transit			
6	Place of departure of service: Country: Place of destination of service: Country:				
7	Journey	Route/Daily stages and/or passenger pick-up or set-down points	Number of passengers	Empty (mark with an X)	Planned km
	Dates	from To			
8	Connection points, if any, with another carrier in the same group	Number of passengers set down	Final destination of the passengers set down	Carrier picking up the passengers	
9	Unforeseen changes				
				

ANNEX 35

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
1	ALF/3X14-	Alfonsinos (3,4,5,6,7,8,9, 10,12,14)	UK, Union and international waters of 3, 4, 5, 6, 7, 8, 9, 10, 12 and 14	96.95	3.05	96.95	3.05	96.95	3.05	96.95	3.05	96.95	3.05	96.95	3.05
2	ANF/07.	Anglerfish (7)	7	78.78	21.22	78.24	21.76	77.70	22.30	77.05	22.95	76.62	23.38	76.62	23.38
3	ANF/2AC4-C	Anglerfish (North Sea)	UK and Union waters 4; UK waters of 2a	13.74	86.26	12.92	87.08	12.11	87.89	11.13	88.87	10.48	89.52	10.48	89.52
4	ANF/56-14	Anglerfish (West of Scotland)	6; UK and international waters of 5b; international waters of 12 and 14	60.99	39.01	59.62	40.38	58.25	41.75	56.60	43.40	55.50	44.50	55.50	44.50
5	ARU/1/2.	Greater Silver Smelt (1,2)	UK and international waters of 1 and 2	56.90	43.10	56.90	43.10	56.90	43.10	56.90	43.10	56.90	43.10	56.90	43.10
6	ARU/3A4-C	Greater Silver Smelt (North Sea)	UK and Union waters of 4; Union waters of 3a	98.40	1.60	98.40	1.60	98.40	1.60	98.40	1.60	98.40	1.60	98.40	1.60
7	ARU/567.	Greater Silver Smelt (Western)	6 and 7; UK and international waters of 5	94.41	5.59	94.41	5.59	94.41	5.59	94.41	5.59	94.41	5.59	94.41	5.59
8	BLI/12INT-	Blue Ling (International 12)	International waters of 12	99.14	0.86	99.14	0.86	99.14	0.86	99.14	0.86	99.14	0.86	99.14	0.86

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
9	BLI/24-	Blue Ling (North Sea)	UK and international waters of 2; UK and Union waters of 4	73.19	26.81	73.19	26.81	73.19	26.81	73.19	26.81	73.19	26.81	73.19	26.81
10	BLI/5B67-	Blue Ling (Western)	6 and 7; UK and international waters of 5	77.31	22.69	76.73	23.27	76.16	23.84	75.46	24.54	75.00	25.00	75.00	25.00
11	BOR/678-	Boarfish (Western)	6, 7 and 8	93.65	6.36	93.65	6.36	93.65	6.36	93.65	6.36	93.65	6.36	93.65	6.36
12	BSF/56712-	Black Scabbardfish (Western)	6 and 7; UK and international waters of 5; international waters of 12	94.31	5.69	94.31	5.69	94.31	5.69	94.31	5.69	94.31	5.69	94.31	5.69
13	COD/07A.	Cod (Irish Sea)	7a	56.05	43.95	55.84	44.16	55.63	44.37	55.37	44.63	55.20	44.80	55.20	44.80
14	COD/07D.	Cod (Eastern Channel)	7d	90.75	9.25	90.75	9.25	90.75	9.25	90.75	9.25	90.75	9.25	90.75	9.25
15	COD/5BE6A	Cod (West of Scotland)	6a; UK and international waters of 5b east of 12°00' W	30.23	69.77	27.37	72.63	24.51	75.49	21.08	78.92	18.79	81.21	18.79	81.21
16	COD/5W6-14	Cod (Rockall)	6b; UK and international waters of 5b west of 12°00' W and of 12 and 14	33.95	66.05	31.71	68.29	29.47	70.53	26.78	73.22	24.99	75.01	24.99	75.01
17	COD/7XAD34	Cod (Celtic Sea)	7b, 7c, 7e-k, 8, 9 and 10; Union waters of CECAF 34.1.1	90.70	9.30	90.47	9.53	90.23	9.77	89.95	10.05	89.76	10.24	89.76	10.24

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
18	DGS/15X14	Spurdog (Western)	6, 7 and 8; UK and international waters of 5; international waters of 1, 12 and 14	57.53	42.47	56.61	43.39	55.69	44.31	54.58	45.42	53.84	46.16	53.84	46.16
19	DWS/56789-	Deep-sea Sharks (Western)	6, 7, 8 and 9; UK and international waters of 5	100.00	0.00	100.00	0.00	100.00	0.00	100.00	0.00	100.00	0.00	100.00	0.00
20	HAD/07A.	Haddock (Irish Sea)	7a	47.24	52.76	46.42	53.58	45.61	54.39	44.63	55.37	43.98	56.02	43.98	56.02
21	HAD/5BC6A.	Haddock (West of Scotland)	6a; UK and international waters of 5b	19.39	80.61	19.39	80.61	19.39	80.61	19.39	80.61	19.39	80.61	19.39	80.61
22	HAD/6B1214	Haddock (Rockall)	UK, Union and international waters of 6b; international waters 12 and 14	16.76	83.24	16.32	83.68	15.88	84.12	15.35	84.65	15.00	85.00	15.00	85.00
23	HAD/7X7A34	Haddock (Celtic Sea)	7b-k, 8, 9 and 10; Union waters of CECAF 34.1.1	84.00	16.00	83.00	17.00	82.00	18.00	80.80	19.20	80.00	20.00	80.00	20.00
24	HER/07A/MM	Herring (Irish Sea)	7a north of 52°30'N	11.01	88.99	8.50	91.50	6.00	94.00	2.99	97.01	0.99	99.01	0.99	99.01
25	HER/5B6ANB	Herring (West of Scotland)	6b and 6aN; UK and international waters 5b	35.95	64.05	35.34	64.66	34.74	65.26	34.01	65.99	33.53	66.47	33.53	66.47
26	HER/7EF.	Herring (Western Channel and Bristol Channel)	7e and 7f	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
27	HER/7G-K.	Herring (Celtic Sea)	7a south of 52°30'N, 7g, 7h, 7j and 7k	99.88	0.12	99.88	0.12	99.88	0.12	99.88	0.12	99.88	0.12	99.88	0.12
28	HKE/2AC4-C	Hake (North Sea)	UK and Union waters 4; UK waters of 2a	60.67	39.33	57.11	42.89	53.56	46.44	49.29	50.71	46.45	53.55	46.45	53.55
29	HKE/571214	Hake (Western)	6 and 7; UK and international waters of 5b; international waters of 12 and 14	80.33	19.67	80.05	19.95	79.77	20.23	79.43	20.57	79.20	20.80	79.20	20.80
30	JAX/2A-14	Horse Mackerel (Western)	UK and Union waters of 4a; 6, 7a-c, e-k; 8a-b, d-e; UK and international waters of 2a and 5b; international waters of 12 and 14	90.61	9.39	90.61	9.39	90.61	9.39	90.61	9.39	90.61	9.39	90.61	9.39
31	JAX/4BC7D	Horse Mackerel (Southern North Sea and Eastern Channel)	UK and Union waters of 4b, 4c and 7d	71.46	28.54	68.60	31.40	65.73	34.27	62.29	37.71	60.00	40.00	60.00	40.00
32	L/W/2AC4-C	Lemon Sole and Witch (North Sea)*	UK and Union waters of 4; UK waters of 2a	35.97	64.03	35.48	64.52	34.98	65.02	34.39	65.61	34.00	66.00	34.00	66.00
33	LEZ/07.	Megrims (7)	7	81.37	18.63	80.65	19.35	79.93	20.07	79.07	20.93	78.50	21.50	78.50	21.50
34	LEZ/2AC4-C	Megrims (North Sea)	UK and Union waters 4; UK waters of 2a	3.74	96.26	3.74	96.26	3.74	96.26	3.74	96.26	3.74	96.26	3.74	96.26

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
35	LEZ/56-14	Megrims (West of Scotland)	6; UK and international waters of 5b; international waters of 12 and 14	60.84	39.16	59.55	40.45	58.25	41.75	56.69	43.31	55.65	44.35	55.65	44.35
36	LIN/03A-C.	Ling (3a)	Union waters of 3a	92.65	7.35	92.65	7.35	92.65	7.35	92.65	7.35	92.65	7.35	92.65	7.35
37	LIN/04-C.	Ling (North Sea)	UK and Union waters of 4	21.22	78.78	20.92	79.08	20.61	79.39	20.24	79.76	20.00	80.00	20.00	80.00
38	LIN/6X14.	Ling (Western)	6, 7, 8, 9 and 10; international waters of 12 and 14	63.67	36.33	63.25	36.75	62.83	37.17	62.33	37.67	62.00	38.00	62.00	38.00
39	NEP/*07U16	Nephrops (Porcupine Bank)	Functional Unit 16 of ICES Subarea 7	85.32	14.68	85.32	14.68	85.32	14.68	85.32	14.68	85.32	14.68	85.32	14.68
40	NEP/07.	Nephrops (7)	7	61.68	38.32	60.76	39.24	59.84	40.16	58.74	41.26	58.00	42.00	58.00	42.00
41	NEP/2AC4-C	Nephrops (North Sea)	UK and Union waters 4; UK waters of 2a	13.38	86.62	13.38	86.62	13.38	86.62	13.38	86.62	13.38	86.62	13.38	86.62
42	NOP/2A3A4.	Norway Pout (North Sea)	3a; UK and Union waters and 4; UK waters of 2a	85.00	15.00	82.50	17.50	80.00	20.00	77.00	23.00	75.00	25.00	75.00	25.00
43	PLE/07A.	Plaice (Irish Sea)	7a	48.89	51.11	48.89	51.11	48.89	51.11	48.89	51.11	48.89	51.11	48.89	51.11
44	PLE/56-14	Plaice (West of Scotland)	6; UK and international waters of 5b; international waters of 12 and 14	39.23	60.77	39.23	60.77	39.23	60.77	39.23	60.77	39.23	60.77	39.23	60.77
45	PLE/7DE.	Plaice (English Channel)*	7d and 7e	70.36	29.64	70.27	29.73	70.18	29.82	70.07	29.93	70.00	30.00	70.00	30.00

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
46	PLE/7FG.	Plaice (7fg)	7f and 7g	74.86	25.14	74.58	25.42	74.30	25.70	73.96	26.04	73.74	26.26	73.74	26.26
47	PLE/7HJK.	Plaice (7hjk)	7h, 7j and 7k	84.25	15.75	83.71	16.29	83.17	16.83	82.52	17.48	82.09	17.91	82.09	17.91
48	POK/56-14	Saithe (West of Scotland)	6; UK and international waters of 5b, 12 and 14	62.32	37.68	58.99	41.01	55.66	44.34	51.66	48.34	49.00	51.00	49.00	51.00
49	POK/7/3411	Saithe (Celtic Sea)	7, 8, 9 and 10; Union waters of CECAF 34.1.1	84.86	15.14	84.90	15.10	84.93	15.07	84.97	15.03	85.00	15.00	85.00	15.00
50	POL/07.	Pollack (7)	7	78.03	21.97	77.27	22.73	76.51	23.49	75.61	24.39	75.00	25.00	75.00	25.00
51	POL/56-14	Pollack (West of Scotland)	6; UK and international waters of 5b; international waters of 12 and 14	63.38	36.62	63.38	36.62	63.38	36.62	63.38	36.62	63.38	36.62	63.38	36.62
52	PRA/2AC4-C	Northern Prawn (North Sea)	UK and Union waters 4; UK waters of 2a	77.99	22.01	77.99	22.01	77.99	22.01	77.99	22.01	77.99	22.01	77.99	22.01
53	RJE/7FG.	Small-eyed Ray (7fg)	7f and 7g	56.36	43.64	53.39	46.61	50.42	49.58	46.86	53.14	44.49	55.51	44.49	55.51
54	RJU/7DE.	Undulate Ray (English Channel)	7d and 7e	69.12	30.88	68.09	31.91	67.06	32.94	65.82	34.18	65.00	35.00	65.00	35.00
55	RNG/5B67-	Roundnose Grenadier (Western)	6 and 7; UK and international waters of 5b	95.16	4.84	95.16	4.84	95.16	4.84	95.16	4.84	95.16	4.84	95.16	4.84

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
56	RNG/8X14-	Roundnose Grenadier (8,9,10,12,14)	8, 9 and 10; international waters of 12 and 14	99.71	0.29	99.71	0.29	99.71	0.29	99.71	0.29	99.71	0.29	99.71	0.29
57	SAN/2A3A4.	Sandeels (North Sea, All Banks)	UK and Union waters of 4; UK waters of 2a; Union waters of 3a	97.26	2.74	97.14	2.86	97.03	2.97	96.89	3.11	96.80	3.20	96.80	3.20
58	SBR/678-	Red Seabream (Western)	6, 7 and 8	90.00	10.00	90.00	10.00	90.00	10.00	90.00	10.00	90.00	10.00	90.00	10.00
59	SOL/07A.	Sole (Irish Sea)	7a	77.15	22.86	77.03	22.97	76.92	23.08	76.79	23.21	76.70	23.30	76.70	23.30
60	SOL/07D.	Sole (Eastern Channel)	7d	80.31	19.69	80.23	19.77	80.15	19.85	80.06	19.94	80.00	20.00	80.00	20.00
61	SOL/07E.	Sole (Western Channel)	7e	38.97	61.03	38.60	61.40	38.24	61.76	37.79	62.21	37.50	62.50	37.50	62.50
62	SOL/24-C.	Sole (North Sea)	UK and Union waters 4; UK waters of 2a	88.09	11.91	86.81	13.19	85.54	14.46	84.02	15.98	83.00	17.00	83.00	17.00
63	SOL/56-14	Sole (West of Scotland)	6; UK and international waters of 5b; international waters of 12 and 14	80.00	20.00	80.00	20.00	80.00	20.00	80.00	20.00	80.00	20.00	80.00	20.00
64	SOL/7FG.	Sole (7fg)	7f and 7g	69.35	30.65	68.93	31.07	68.51	31.49	68.01	31.99	67.67	32.33	67.67	32.33
65	SOL/7HJK.	Sole (7hjk)	7h, 7j and 7k	83.33	16.67	83.33	16.67	83.33	16.67	83.33	16.67	83.33	16.67	83.33	16.67

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
66	SPR/2AC4-C	Sprat (North Sea)	UK and Union waters 4; UK waters of 2a	96.18	3.82	96.18	3.82	96.18	3.82	96.18	3.82	96.18	3.82	96.18	3.82
67	SPR/7DE.	Sprat (English Channel)	7d and 7e	28.60	71.40	25.45	74.55	22.30	77.70	18.52	81.48	16.00	84.00	16.00	84.00
68	SRX/07D.	Skates and Rays (Eastern Channel)	7d	84.51	15.49	84.44	15.56	84.36	15.64	84.27	15.73	84.21	15.79	84.21	15.79
69	SRX/2AC4-C	Skates and Rays (North Sea)	UK and Union waters 4; UK waters of 2a	32.73	67.27	32.29	67.71	31.86	68.14	31.35	68.65	31.00	69.00	31.00	69.00
70	SRX/67AKXD	Skates and Rays (Western)	UK and Union waters of 6a, 6b, 7a-c and 7e-k	71.06	28.94	70.54	29.46	70.02	29.98	69.40	30.60	68.99	31.01	68.99	31.01
71	T/B/2AC4-C	Turbot and Brill (North Sea)*	UK and Union waters of 4; UK waters of 2a	81.82	18.18	81.37	18.63	80.91	19.09	80.36	19.64	80.00	20.00	80.00	20.00
72	USK/04-C.	Tusk (North Sea)	UK and Union waters of 4	59.46	40.54	59.46	40.54	59.46	40.54	59.46	40.54	59.46	40.54	59.46	40.54
73	USK/567EI.	Tusk (Western)	6 and 7; UK and international waters of 5	70.73	29.27	70.55	29.45	70.37	29.63	70.15	29.85	70.00	30.00	70.00	30.00
74	WHG/07A.	Whiting (Irish Sea)	7a	42.27	57.73	41.45	58.55	40.63	59.37	39.65	60.35	39.00	61.00	39.00	61.00
75	WHG/56-14	Whiting (West of Scotland)	6; UK and international waters of 5b; international waters of 12 and 14	37.53	62.47	36.67	63.33	35.81	64.19	34.78	65.22	34.09	65.91	34.09	65.91
76	WHG/7X7A-C	Whiting (Celtic Sea)*	7b, 7c, 7d, 7e, 7f, 7g, 7h, 7j and 7k	88.95	11.05	88.89	11.11	88.84	11.16	88.77	11.23	88.73	11.27	88.73	11.27

A. UK-EU-NO trilateral stocks

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
77	COD/2A3AX4	Cod (North Sea)	4; UK waters of 2a; that part of 3a not covered by the Skagerrak and Kattegat	47.03	52.97	46.02	53.98	45.02	54.99	43.81	56.19	43.00	57.00	43.00	57.00
78	HAD/2AC4.	Haddock (North Sea)	4; UK waters of 2a	18.45	81.55	17.80	82.20	17.14	82.86	16.35	83.65	15.83	84.17	15.83	84.17
79	HER/2A47DX	Herring (North Sea bycatch)	4 and 7d; UK waters of 2a	98.18	1.82	98.18	1.82	98.18	1.82	98.18	1.82	98.18	1.82	98.18	1.82
80	HER/4AB.	Herring (North Sea)	UK, Union and Norwegian waters of 4 north of 53° 30' N	71.33	28.67	70.42	29.58	69.50	30.50	68.41	31.59	67.68	32.32	67.68	32.32
81	HER/4CXB7D	Herring (Southern North Sea and Eastern Channel)	4c, 7d excluding Blackwater	88.76	11.24	88.48	11.52	88.21	11.79	87.87	12.13	87.65	12.35	87.65	12.35
82	PLE/2A3AX4	Plaice (North Sea)	4; UK waters of 2a; that part of 3a not covered by the Skagerrak and the Kattegat	71.54	28.46	71.54	28.46	71.54	28.46	71.54	28.46	71.54	28.46	71.54	28.46
83	POK/2C3A4	Saithe (North Sea)	3a and 4; UK waters of 2a	77.71	22.29	76.78	23.22	75.85	24.15	74.74	25.26	74.00	26.00	74.00	26.00
84	WHG/2AC4.	Whiting (North Sea)	4; UK waters of 2a	34.78	65.22	32.71	67.29	30.63	69.37	28.13	71.87	26.47	73.53	26.47	73.53

B. Coastal States Stocks

#	Code	Common Name	ICES Areas	Shares											
				2021		2022		2023		2024		2025		2026 onwards	
				EU	UK	EU	UK	EU	UK	EU	UK	EU	UK	EU	UK
85	MAC/2A34.	Mackerel (North Sea)	3a and 4; UK waters of 2a; Union waters of 3b, 3c and Subdivisions 22-32	93.91	6.09	93.78	6.22	93.65	6.35	93.50	6.50	93.40	6.60	93.40	6.60
86	MAC/2CX14-	Mackerel (Western)	6, 7, 8a, 8b, 8d and 8e; UK and international waters of 5b; international waters of 2a, 12 and 14	35.15	64.85	34.06	65.94	32.98	67.02	31.67	68.33	30.80	69.20	30.80	69.20
87	WHB/1X14	Blue Whiting (Northern)	UK, Union and international waters of 1, 2, 3, 4, 5, 6, 7, 8a, 8b, 8d, 8e, 12 and 14	79.47	20.53	79.35	20.65	79.24	20.76	79.09	20.91	79.00	21.00	79.00	21.00

C. ICCAT Stocks

#	Code	Common Name	Area	Shares	
				EU	UK
88	ALB/AN05N	Albacore (North Atlantic)	Atlantic Ocean, north of 5° N	98.48	1.52
89	BFT/AE45WM	Bluefin Tuna (Northeast Atlantic)	Atlantic Ocean, east of 45° W, and Mediterranean	99.75	0.25
90	BSH/AN05N	Blue Shark (North Atlantic)	Atlantic Ocean, north of 5° N	99.90	0.10
91	SWO/AN05N	Swordfish (North Atlantic)	Atlantic Ocean, North of 5° N	99.99	0.01

D. NAFO Stocks

#	Code	Common Name	Area	Shares	
				EU	UK
92	COD/N3M.	Cod (NAFO 3M)	NAFO 3M	83.66	16.34

E. Special Cases

#	Code	Common Name	ICES Areas	Shares	
				EU	UK
93	COD/1/2B.	Cod (Svalbard)	1 and 2b	75.00	25.00

F. Stocks that are only present in one Party's waters

#	Code	Common Name	ICES Areas	Shares	
				EU	UK
94	GHL/2A C46	Greenland Halibut (North Sea and West of Scotland)	6; UK and Union waters of 4; UK waters of 2a; UK and international waters of 5b	27.35	72.65

#	Code	Common Name	ICES Areas	Shares	
				EU	UK
95	HER/06ACL.	Herring (Clyde)	6 Clyde	0.00	100.00
96	HER/1/2-	Herring (ASH)	UK, Faroese, Norwegian and international waters of 1 and 2	70.00	30.00
97	LIN/05EI.	Ling (5)	UK and international waters of 5	81.48	18.52
98	LIN/1/2.	Ling (1,2)	UK and international waters of 1 and 2	77.78	22.22
99	NEP/5BC6.	Nephrops (West of Scotland)	6; UK and international waters of 5b	2.36	97.64
100	RED/51214D	Redfish [Deep Pelagic] (5,12,14)	UK and international waters of 5; international waters of 12 and 14	98.00	2.00
101	RED/51214S	Redfish [Shallow Pelagic] (5,12,14)	UK and international waters of 5; international waters of 12 and 14	98.00	2.00
102	SBR/10-	Red Seabream (Azores)	Union and international waters of 10	99.12	0.88
103	SRX/89-C.	Skates and Rays (8,9)	UK and Union waters of 8; Union waters of 9	99.78	0.22
104	USK/1214EI	Tusk (1,2,14)	UK and international waters of 1, 2 and 14	71.43	28.57

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#	Stock Code	Common Name	ICES Areas
105	ANF/8ABDE.	Anglerfish (8)	8a, 8b, 8d and 8e
106	BLI/03A-	Blue Ling (3a)	Union waters of 3a
107	BSF/8910-	Black Scabbardfish (8,9,10)	8, 9 and 10
108	COD/03AN.	Cod (Skagerrak)	Skagerrak
109	HAD/03A.	Haddock (3a)	3a
110	HER/03A.	Herring (3a)	3a
111	HER/03A-BC	Herring (3a bycatch)	3a
112	HER/6AS7BC	Herring (West of Ireland)	6aS, 7b and 7c
113	HKE/03A.	Hake (3a)	3a
114	HKE/8ABDE.	Hake (8)	8a, 8b, 8d and 8e

#	Stock Code	Common Name	ICES Areas
115	JAX/08C.	Horse Mackerel (8c)	8c
116	LEZ/8ABDE.	Megrims (8)	8a, 8b, 8d and 8e
117	MAC/2A4A-N	Mackerel (Denmark allocation in Norwegian waters)	Norwegian waters of 2a and 4a
118	MAC/8C3411	Mackerel (Southern Component)	8c, 9 and 10; Union waters of CECAF 34.1.1
119	PLE/03AN.	Plaice (Skagerrak)	Skagerrak
120	SPR/03A.	Sprat (3a)	3a
121	SRX/03A-C.	Skates and Rays (3a)	Union waters of 3a
122	USK/03A.	Tusk (3a)	3a
123	WHB/8C3411	Blue Whiting (Southern Component)	8c, 9 and 10; Union waters of CECAF 34.1.1

PROTOCOL
ON ACCESS TO WATERS

The United Kingdom and the Union

AFFIRMING the sovereign rights and obligations of independent coastal States exercised by the Parties;

EMPHASISING that the right of each Party to grant vessels of the other Party access to fish in its waters is ordinarily to be exercised in annual consultations following the determination of TACs for a given year in annual consultations;

NOTING the social and economic benefits of a further period of stability, during which fishers would be permitted until 30 June 2026 to continue to access the waters of the other Party as before the entry into force of this Agreement;

HAVE AGREED as follows:

ARTICLE 1

An adjustment period is hereby established. The adjustment period shall last from 1 January 2021 until 30 June 2026.

ARTICLE 2

1. By way of derogation from Article 500(1), (3), (4), (5), (6) and (7) of this Agreement, during the adjustment period each Party shall grant to vessels of the other Party full access to its waters to fish:
 - (a) stocks listed in Annex 35 and in tables A, B and F of Annex 36 at a level that is reasonably commensurate with the Parties' respective shares of the fishing opportunities;
 - (b) non quota stocks at a level that equates to the average tonnage fished by that Party in the waters of the other Party during the period 2012-2016;
 - (c) for qualifying vessels to the zone in the waters of the Parties between six and twelve nautical miles from the baselines in ICES divisions 4c and 7d-g to the extent that each Party's qualifying vessels had access to that zone on 31 December 2020.

For the purposes point (c), "qualifying vessel" means a vessel of a Party, which fished in the zone mentioned in the previous sentence in at least four years between 2012 and 2016, or its direct replacement.

2. The Parties shall notify the other Party of any change in the level and conditions of access to waters that will apply from 1 July 2026.
3. Article 501 of this Agreement shall apply *mutatis mutandis* in relation to any change under paragraph 2 of this Article in respect of the period from 1 July 2026 to 31 December 2026.

EXCHANGES OF DNA, FINGERPRINTS
AND VEHICLE REGISTRATION DATA

CHAPTER 0

GENERAL PROVISIONS

ARTICLE 1

Aim

The aim of this Annex is to lay down the necessary data protection, administrative and technical provisions for the implementation of Title II of Part Three of this Agreement.

ARTICLE 2

Technical specifications

States shall observe common technical specifications in connection with all requests and answers related to searches and comparisons of DNA profiles, dactyloscopic data and vehicle registration data. These technical specifications are laid down in Chapters 1 to 3.

ARTICLE 3

Communications network

The electronic exchange of DNA data, dactyloscopic data and vehicle registration data between States shall take place using the Trans European Services for Telematics between Administrations (TESTA II) communications network and further developments thereof.

ARTICLE 4

Availability of automated data exchange

States shall take all necessary measures to ensure that automated searching or comparison of DNA data, dactyloscopic data and vehicle registration data is possible 24 hours a day and seven days a week. In the event of a technical fault, the States' national contact points shall immediately inform each other and shall agree on temporary alternative information exchange arrangements in accordance with the legal provisions applicable. Automated data exchange shall be re-established as quickly as possible.

ARTICLE 5

Reference numbers for DNA data and dactyloscopic data

The reference numbers referred to in Articles 529 and 533 of this Agreement shall consist of a combination of the following:

- (a) a code allowing the States, in the case of a match, to retrieve personal data and other information in their databases in order to supply it to one, several or all of the States in accordance with Article 536 of this Agreement;
- (b) a code to indicate the national origin of the DNA profile or dactyloscopic data; and
- (c) with respect to DNA data, a code to indicate the type of DNA profile.

ARTICLE 6

Principles of DNA data exchange

1. States shall use existing standards for DNA data exchange, such as the European Standard Set (ESS) or the Interpol Standard Set of Loci (ISSOL).
2. The transmission procedure, in the case of automated searching and comparison of DNA profiles, shall take place within a decentralised structure.

3. Appropriate measures shall be taken to ensure confidentiality and integrity of data being sent to other States, including their encryption.
4. States shall take the necessary measures to guarantee the integrity of the DNA profiles made available or sent for comparison to the other States and to ensure that those measures comply with international standards such as ISO 17025.
5. States shall use State codes in accordance with the ISO 3166-1 alpha-2 standard.

ARTICLE 7

Rules for requests and answers in connection with DNA data

1. A request for an automated search or comparison, as referred to in Article 530 or 531 of this Agreement, shall include only the following information:
 - (a) the State code of the requesting State;
 - (b) the date, time and indication number of the request;
 - (c) DNA profiles and their reference numbers;
 - (d) the types of DNA profiles transmitted (unidentified DNA profiles or reference DNA profiles); and

- (e) information required for controlling the database systems and quality control for the automatic search processes.
2. The answer (matching report) to the request referred to in paragraph 1 shall contain only the following information:
- (a) an indication as to whether there were one or more matches (HITs) or no matches (No-HITs);
 - (b) the date, time and indication number of the request;
 - (c) the date, time and indication number of the answer;
 - (d) the State codes of the requesting and requested States;
 - (e) the reference numbers of the requesting and requested States;
 - (f) the type of DNA profiles transmitted (unidentified DNA profiles or reference DNA profiles);
 - (g) the requested and matching DNA profiles; and
 - (h) information required for controlling the database systems and quality control for the automatic search processes.

3. Automated notification of a match shall only be provided if the automated search or comparison has resulted in a match of a minimum number of loci. That minimum is set out in Chapter 1.
4. The States shall ensure that requests comply with declarations issued pursuant to Article 529(3) of this Agreement.

ARTICLE 8

Transmission procedure for automated searching of unidentified DNA profiles in accordance with Article 530

1. If, in a search with an unidentified DNA profile, no match has been found in the national database or a match has been found with an unidentified DNA profile, the unidentified DNA profile may then be transmitted to all other States' databases and if, in a search with this unidentified DNA profile, matches are found with reference DNA profiles and/or unidentified DNA profiles in other States' databases, these matches shall be automatically communicated and the DNA reference data transmitted to the requesting State; if no matches can be found in other States' databases, it shall be automatically communicated to the requesting State.
2. If, in a search with an unidentified DNA profile, a match is found in other States' databases, each State concerned may insert a note to that effect in its national database.

ARTICLE 9

Transmission procedure for automated search of reference DNA profiles in accordance with Article 530

If, in a search with a reference DNA profile, no match has been found in the national database with a reference DNA profile or a match has been found with an unidentified DNA profile, this reference DNA profile may then be transmitted to all other States' databases and if, in a search with this reference DNA profile, matches are found with reference DNA profiles and/or unidentified DNA profiles in other States' databases, these matches shall be automatically communicated and the DNA reference data transmitted to the requesting State; if no matches can be found in other States' databases, it shall be automatically communicated to the requesting State.

ARTICLE 10

Transmission procedure for automated comparison of unidentified DNA profiles in accordance with Article 531

1. If, in a comparison with unidentified DNA profiles, matches are found in other States' databases with reference DNA profiles and/or unidentified DNA profiles, these matches shall be automatically communicated and the DNA reference data transmitted to the requesting State.

2. If, in a comparison with unidentified DNA profiles, matches are found in other States' databases with unidentified DNA profiles or reference DNA profiles, each State concerned may insert a note to that effect in its national database.

ARTICLE 11

Principles for the exchange of dactyloscopic data

1. The digitalisation of dactyloscopic data and their transmission to the other States shall be carried out in accordance with the uniform data format specified in Chapter 2.
2. Each State shall ensure that the dactyloscopic data it transmits are of sufficient quality for a comparison by the automated fingerprint identification systems (AFIS).
3. The transmission procedure for the exchange of dactyloscopic data shall take place within a decentralised structure.
4. Appropriate measures shall be taken to ensure the confidentiality and integrity of dactyloscopic data being sent to other States, including their encryption.
5. The States shall use State codes in accordance with the ISO 3166-1 alpha-2 standard.

ARTICLE 12

Search capacities for dactyloscopic data

1. Each State shall ensure that its search requests do not exceed the search capacities specified by the requested State. The United Kingdom shall declare their maximum search capacities per day for dactyloscopic data of identified persons and for dactyloscopic data of persons not yet identified.
2. The maximum numbers of candidates accepted for verification per transmission are set out in Chapter 2.

ARTICLE 13

Rules for requests and answers in connection with dactyloscopic data

1. The requested State shall check the quality of the transmitted dactyloscopic data without delay by a fully automated procedure. Should the data be unsuitable for an automated comparison, the requested State shall inform the requesting State without delay.
2. The requested State shall conduct searches in the order in which requests are received. Requests shall be processed within 24 hours by a fully automated procedure. The requesting State may, if its domestic law so prescribes, ask for accelerated processing of its requests and the requested State shall conduct these searches without delay. If deadlines cannot be met for reasons of *force majeure*, the comparison shall be carried out without delay as soon as the impediments have been removed.

ARTICLE 14

Principles of automated searching of vehicle registration data

1. For automated searching of vehicle registration data States shall use a version of the European Vehicle and Driving Licence Information System (Eucaris) software application especially designed for the purposes of Article 537 of this Agreement, and amended versions of that software.
2. Automated searching of vehicle registration data shall take place within a decentralised structure.
3. The information exchanged via the Eucaris system shall be transmitted in encrypted form.
4. The data elements of the vehicle registration data to be exchanged are specified in Chapter 3.
5. In the implementation of Article 537 of this Agreement, States may give priority to searches related to combating serious crime.

ARTICLE 15

Costs

Each State shall bear the costs arising from the administration, use and maintenance of the Eucaris software application referred to in Article 14(1).

ARTICLE 16

Purpose

1. Processing of personal data by the receiving State shall be permitted solely for the purposes for which the data have been supplied in accordance with Title II of Part Three of this Agreement. Processing for other purposes shall be permitted solely with the prior authorisation of the State administering the file and subject only to the domestic law of the receiving State. Such authorisation may be granted provided that processing for such other purposes is permitted under the domestic law of the State administering the file.
2. Processing of data supplied pursuant to Articles 530, 531 and 534 of this Agreement by the searching or comparing State shall be permitted solely in order to:
 - (a) establish whether the compared DNA profiles or dactyloscopic data match;
 - (b) prepare and submit a police or judicial request for legal assistance in compliance with domestic law if those data match;
 - (c) record within the meaning of Article 19 of this Chapter.
3. The State administering the file may process the data supplied to it in accordance with Articles 530, 531 and 534 of this Agreement solely where this is necessary for the purposes of comparison, providing automated replies to searches or recording pursuant to Article 19 of this Chapter. The supplied data shall be deleted immediately following data comparison or automated replies to searches unless further processing is necessary for the purposes referred to in points (b) and (c) of paragraph 2 of this Article.

4. Data supplied in accordance with Article 537 of this Agreement may be used by the State administering the file solely where this is necessary for the purpose of providing automated replies to search procedures or recording pursuant to Article 19 of this Chapter. The data supplied shall be deleted immediately following automated replies to searches unless further processing is necessary for recording pursuant to Article 19 of this Chapter. The Member State may use data received in a reply solely for the procedure for which the search was made.

ARTICLE 17

Accuracy, current relevance and storage time of data

1. The States shall ensure the accuracy and current relevance of personal data. The receiving State shall be notified without delay if it transpires *ex officio*, or from a notification by the data subject, that incorrect data or data which should not have been supplied have been supplied. The State(s) concerned shall be obliged to correct or delete the data. Moreover, personal data supplied shall be corrected if they are found to be incorrect. If the receiving body has reason to believe that the supplied data are incorrect or should be deleted, the supplying body shall be informed forthwith.
2. Data, the accuracy of which the data subject contests and the accuracy or inaccuracy of which cannot be established shall, in accordance with the domestic law of the States, be marked with a flag at the request of the data subject. If a flag exists, this may be removed subject to the domestic law of the States and only with the permission of the data subject or on the basis of a decision of the competent court or independent data protection authority.

3. Personal data supplied which should not have been supplied or received shall be deleted. Data which are lawfully supplied and received shall be deleted:
 - (a) if they are not or no longer necessary for the purpose for which they were supplied; if personal data have been supplied without request, the receiving body shall immediately check if they are necessary for the purposes for which they were supplied;
 - (b) following the expiry of the maximum period for keeping data laid down in the domestic law of the supplying State, where the supplying body informed the receiving body of that maximum period at the time of supplying the data.
4. Where there is reason to believe that deletion would prejudice the interests of the data subject, the data shall be blocked instead of being deleted in compliance with domestic law. Blocked data may be supplied or used solely for the purpose which prevented their deletion.

ARTICLE 18

Technical and organisational measures to ensure data protection and data security

1. The supplying and receiving bodies shall take steps to ensure that personal data is effectively protected against accidental or unauthorised destruction, accidental loss, unauthorised access, unauthorised or accidental alteration and unauthorised disclosure.

2. The features of the technical specification of the automated search procedure are regulated in the implementing measures as referred to in Article 539 of this Agreement which guarantee that:
 - (a) state-of-the-art technical measures are taken to ensure data protection and data security, in particular data confidentiality and integrity;
 - (b) encryption and authorisation procedures recognised by the competent authorities are used when having recourse to generally accessible networks; and
 - (c) the admissibility of searches in accordance with paragraphs 2, 5 and 6 of Article 19 of this Chapter can be checked.

ARTICLE 19

Logging and recording: special rules governing automated and non-automated supply

1. Each State shall guarantee that every non-automated supply and every non-automated receipt of personal data by the body administering the file and by the searching body is logged in order to verify the admissibility of the supply. Logging shall contain the following information:
 - (a) the reason for the supply;

- (b) the data supplied;
- (c) the date of the supply; and
- (d) the name or reference code of the searching body and of the body administering the file.

2. The following shall apply to automated searches for data based on Articles 530, 534 and 537 of this Agreement and to automated comparison pursuant to Article 531 of this Agreement:

- (a) only specially authorised officers of the national contact points may carry out automated searches or comparisons; the list of officers authorised to carry out automated searches or comparisons shall be made available upon request to the supervisory authorities referred to in paragraph 6 and to the other States;
- (b) each State shall ensure that each supply and receipt of personal data by the body administering the file and the searching body is recorded, including notification of whether or not a HIT exists; recording shall include the following information:
 - (i) the data supplied;
 - (ii) the date and exact time of the supply; and
 - (iii) the name or reference code of the searching body and of the body administering the file.

3. The searching body shall also record the reason for the search or supply as well as an identifier for the official who carried out the search and the official who ordered the search or supply.
4. The recording body shall immediately communicate the recorded data upon request to the competent data protection authorities of the relevant State at the latest within four weeks following receipt of the request; recorded data may be used solely for the following purposes:
 - (a) monitoring data protection;
 - (b) ensuring data security.
5. The recorded data shall be protected with suitable measures against inappropriate use and other forms of improper use and shall be kept for two years. After the conservation period, the recorded data shall be deleted immediately.
6. Responsibility for legal checks on the supply or receipt of personal data lies with the independent data protection authorities or, as appropriate, the judicial authorities of the respective States. Anyone can request those authorities to check the lawfulness of the processing of data in respect of their person in compliance with domestic law. Independently of such requests, those authorities and the bodies responsible for recording shall carry out random checks on the lawfulness of supply, based on the files involved.

7. The results of such checks shall be kept for inspection for 18 months by the independent data protection authorities. After that period, they shall be immediately deleted. Each data protection authority may be requested by the independent data protection authority of another State to exercise its powers in accordance with domestic law. The independent data protection authorities of the States shall perform the inspection tasks necessary for mutual cooperation, in particular by exchanging relevant information.

ARTICLE 20

Data subjects' rights to damages

Where a body of one State has supplied personal data under Title II of Part Three of this Agreement, the receiving body of the other State cannot use the inaccuracy of the data supplied as grounds to evade its liability vis-à-vis the injured party under domestic law. If damages are awarded against the receiving body because of its use of inaccurate transfer data, the body which supplied the data shall refund the amount paid in damages to the receiving body in full.

ARTICLE 21

Information requested by the States

The receiving State shall inform the supplying State on request of the processing of supplied data and the result obtained.

ARTICLE 22

Declarations and designations

1. The United Kingdom shall communicate its declarations pursuant to Article 529(3) of this Agreement, and Article 12(1) of this Chapter, as well as its designations pursuant to Articles 535(1) and 537(3) of this Agreement to the Specialised Committee on Law Enforcement and Judicial Cooperation.
2. Factual information provided by the United Kingdom through these declarations and designations, and by Member States in accordance with Article 539(3) of this Agreement, are included in the Manual as referred to in Article 18(2) of Decision 2008/616/JHA.
3. States may amend declarations and designations submitted in accordance with paragraph 1 at any time by means of a notification submitted to the Specialised Committee on Law Enforcement and Judicial Cooperation. The Specialised Committee on Law Enforcement and Judicial Cooperation shall forward any declarations received to the General Secretariat of the Council.
4. The General Secretariat of the Council shall communicate any changes in the Manual referred to in paragraph 2 to the Specialised Committee on Law Enforcement and Judicial Cooperation.

ARTICLE 23

Preparation of decisions as referred to in Article 540

1. The Council shall take a decision as referred to in Article 540 of this Agreement on the basis of an evaluation report which shall be based on a questionnaire.
2. With respect to the automated data exchange in accordance with Title II of Part Three of this Agreement, the evaluation report shall also be based on an evaluation visit and a pilot run that shall be carried out if required when the United Kingdom has informed the Specialised Committee on Law Enforcement and Judicial Cooperation that they have implemented the obligations imposed on them under Title II of Part Three of this Agreement and submit the declarations provided for in Article 22 of this Chapter. Further details of the procedure are set out in Chapter 4 of this Annex.

ARTICLE 24

Statistics and reporting

1. An evaluation of the administrative, technical and financial application of the data exchange pursuant to Title II of Part Three of this Agreement shall be carried out on a regular basis. The evaluation shall be carried out with respect to the data categories for which data exchange has started among the States concerned. The evaluation shall be based on reports of the respective States.

2. Each State shall compile statistics on the results of the automated data exchange. In order to ensure comparability, the model for statistics will be compiled by the relevant Council Working Group. These statistics will be forwarded annually to the Specialised Committee on Law Enforcement and Judicial Cooperation.
3. In addition, States will be requested on a regular basis not to exceed once per year to provide further information on the administrative, technical and financial implementation of automated data exchange as needed to analyse and improve the process.
4. Statistics and reporting made by Member States in accordance with Decisions 2008/615/JHA and 2008/616/JHA shall apply in relation to this Article.

CHAPTER 1

EXCHANGE OF DNA-DATA

1. DNA related forensic issues, matching rules and algorithms
 - 1.1. Properties of DNA-profiles

The DNA profile may contain 24 pairs of numbers representing the alleles of 24 loci which are also used in the DNA-procedures of Interpol. The names of those loci are provided in the following table:

VWA	TH01	D21S11	FGA	D8S1179	D3S1358	D18S51	Amelogenin
TPOX	CSF1P0	D13S317	D7S820	D5S818	D16S539	D2S1338	D19S433
Penta D	Penta E	FES	F13A1	F13B	SE33	CD4	GABA

The seven grey loci in the top row are both the present ESS and the ISSOL.

Inclusion Rules:

The DNA-profiles made available by the States for searching and comparison as well as the DNA-profiles sent out for searching and comparison shall contain at least six full designated¹ loci and may contain additional loci or blanks depending on their availability. The reference DNA profiles shall contain at least six of the seven ESS of loci. In order to raise the accuracy of matches, all available alleles shall be stored in the indexed DNA profile database and be used for searching and comparison. Each State should implement as soon as practically possible any new ESS of loci adopted by the EU.

Mixed profiles are not allowed, so that the allele values of each locus will consist of only two numbers, which may be the same in the case of homozygosity at a given locus.

¹ "Full designated" means the handling of rare allele values is included.

Wild-cards and Micro-variants are to be dealt with using the following rules:

- Any non-numerical value except amelogenin contained in the profile (e.g. "o", "f", "r", "na", "nr" or "un") has to be automatically converted for the export to a wild card (*) and searched against all,
- Numerical values "0", "1" or "99" contained in the profile have to be automatically converted for the export to a wild card (*) and searched against all,
- If three alleles are provided for one locus the first allele will be accepted and the remaining two alleles have to be automatically converted for the export to a wild card (*) and searched against all,
- When wild card values are provided for allele 1 or 2 then both permutations of the numerical value given for the locus will be searched (e.g. 12, * could match against 12,14 or 9,12),
- Pentanucleotide (Penta D, Penta E and CD4) micro-variants will be matched according to the following:

x.1 = x, x.1, x.2

x.2 = x.1, x.2, x.3

x.3 = x.2, x.3, x.4

x.4 = x.3, x.4, x + 1,

- Tetranucleotide (the rest of the loci are tetranucleotides) micro-variants will be matched according to the following:

$$x.1 = x, x.1, x.2$$

$$x.2 = x.1, x.2, x.3$$

$$x.3 = x.2, x.3, x + 1.$$

1.2. Matching rules

The comparison of two DNA-profiles will be performed on the basis of the loci for which a pair of allele values is available in both DNA-profiles. At least six full designated loci (exclusive of amelogenin) must match between both DNA-profiles before a HIT response is provided.

A full match (Quality 1) is defined as a match, when all allele values of the compared loci commonly contained in the requesting and requested DNA-profiles are the same. A near match is defined as a match, when the value of only one of all the compared alleles is different in the two DNA profiles (Quality 2, 3 and 4). A near match is only accepted if there are at least six full designated matched loci in the two compared DNA profiles.

The reason for a near match may be:

- a human typing error at the point of entry of one of the DNA-profiles in the search request or the DNA-database,

- an allele-determination or allele-calling error during the generation procedure of the DNA-profile.

1.3. Reporting rules

Full matches, near matches and "No-HITs" will all be reported.

The matching report will be sent to the requesting national contact point and will also be made available to the requested national contact point (to enable it to estimate the nature and number of possible follow-up requests for further available personal data and other information associated with the DNA-profile corresponding to the HIT in accordance with Article 536 of this Agreement.

2. State code number table

In accordance with Title II of Part Three of this Agreement, ISO 3166-1 alpha-2 code are used for setting up the domain names and other configuration parameters required in the Prüm DNA data exchange applications over a closed network.

ISO 3166-1 alpha-2 codes are the following two-letter State codes:

State names	Code	State names	Code
Belgium	BE	Lithuania	LT
Bulgaria	BG	Luxemburg	LU
Czech Republic	CZ	Hungary	HU
Denmark	DK	Malta	MT
Germany	DE	Netherlands	NL
Estonia	EE	Austria	AT
Ireland	IE	Poland	PL
Greece	EL	Portugal	PT
Spain	ES	Romania	RO
France	FR	Slovakia	SK
Croatia	HR	Slovenia	SI
Italy	IT	Finland	FI
Cyprus	CY	Sweden	SE
Latvia	LV	United Kingdom	UK

3. Functional analysis

3.1. Availability of the system

Requests pursuant to Article 530 of this Agreement should reach the targeted database in the chronological order that each request was sent; responses should be dispatched to reach the requesting State within 15 minutes of the arrival of requests.

3.2. Second step

When a State receives a report of a match, its national contact point is responsible for comparing the values of the profile submitted as a question and the values of the profile(s) received as an answer to validate and check the evidential value of the profile. National contact points can contact each other directly for validation purposes.

Legal assistance procedures start after validation of an existing match between two profiles, on the basis of a "full match" or a "near match" obtained during the automated consultation phase.

4. DNA interface control document

4.1. Introduction

4.1.1. Objectives

This Chapter defines the requirements for the exchange of DNA profile information between the DNA database systems of all States. The header fields are defined specifically for the Prüm DNA exchange; the data part is based on the DNA profile data part in the XML schema defined for the Interpol DNA exchange gateway.

Data are exchanged by Simple Mail Transfer Protocol (SMTP) and other state-of-the-art technologies, using a central relay mail server provided by the network provider. The XML file is transported as mail body.

4.1.2. Scope

This ICD defines the content of the message (or "mail") only. All network-specific and mail-specific topics are defined uniformly in order to allow a common technical base for the DNA data exchange.

This includes:

- the format of the subject field in the message to enable/allow for an automated processing of the messages,
- whether content encryption is necessary and if yes which methods should be chosen,
- the maximum length of messages.

4.1.3. XML structure and principles

The XML message is structured into:

- the header part, which contains information about the transmission, and
- the data part, which contains profile specific information, as well as the profile itself.

The same XML schema shall be used for request and response.

For the purpose of complete checks of unidentified DNA profiles, as provided for in Article 531 of this Agreement, it shall be possible to send a batch of profiles in one message. A maximum number of profiles within one message must be defined. The number depends on the maximum allowed mail size and shall be defined after selection of the mail server.

XML example:

```
<?version="1.0" standalone="yes"?>
```

```
<PRUEMDNAx xmlns:msxsl="urn:schemas-microsoft-com:xslt"
```

```
xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance">
```

```
<header>
```

```
(...)
```

```
</header>
```

```
<datas>
```

```
(...)
```

```
</datas>
```

[<datas> datas structure repeated, if multiple profiles sent by (...) a single SMTP message, only allowed for Article 531 of this Agreement cases

</datas>]

</PRUEMDNA>

4.2. XML structure definition

The following definitions are for documentation purposes and better readability; the real binding information is provided by an XML schema file (PRUEM DNA.xsd).

4.2.1. Schema PRUEMDNAx

It contains the following fields:

Fields	Type	Description
header	PRUEM_header	Occurs: 1
datas	PRUEM_datas	Occurs: 1 ... 500

4.2.2. Content of header structure

4.2.2.1. PRUEM header

This is a structure describing the XML file header. It contains the following fields:

Fields	Type	Description
direction	PRUEM_header_dir	Direction of message flow
ref	String	Reference of the XML file
generator	String	Generator of XML file
schema_version	String	Version number of schema to use
requesting	PRUEM_header_info	Requesting State info
requested	PRUEM_header_info	Requested State info

4.2.2.2. PRUEM_header dir

Type of data contained in message, value can be:

Value	Description
R	Request
A	Answer

4.2.2.3. PRUEM header info

Structure to describe State as well as message date/time. It contains the following fields:

Fields	Type	Description
source_isocode	String	ISO 3166-2 code of the requesting State
destination_isocode	String	ISO 3166-2 code of the requested State
request_id	String	unique Identifier for a request
date	Date	Date of creation of message
time	Time	Time of creation of message

4.2.3. Content of PRUEM Profile data

4.2.3.1. PRUEM_datas

This is a structure describing the XML profile data part. It contains the following fields:

Fields	Type	Description
reqtype	PRUEM request type	Type of request (Article 530 or 531)
date	Date	Date profile stored
type	PRUEM_datas_type	Type of profile
result	PRUEM_datas_result	Result of request
agency	String	Name of corresponding unit responsible for the profile
profile_ident	String	Unique State profile ID
message	String	Error Message, if result = E
profile	IPSG_DNA_profile	If direction = A (Answer) AND result ≠ H (HIT) empty
match_id	String	In case of a HIT PROFILE_ID of the requesting profile
quality	PRUEM_hitquality_type	Quality of HIT
hitcount	Integer	Count of matched Alleles
rescount	Integer	Count of matched profiles. If direction = R (Request), then empty. If quality! = 0 (the original requested profile), then empty.

4.2.3.2. PRUEM_request_type

Type of data contained in message, value can be:

Value	Description
3	Requests pursuant to Article 530
4	Requests pursuant to Article 531

4.2.3.3. PRUEM_hitquality_type

Value	Description
0	Referring original requesting profile: Case "No-HIT": original requesting profile sent back only; Case "HIT": original requesting profile and matched profiles sent back.
1	Equal in all available alleles without wildcards
2	Equal in all available alleles with wildcards
3	HIT with Deviation (Microvariant)
4	HIT with mismatch

4.2.3.4. PRUEM_data_type

Type of data contained in message, value can be:

Value	Description
P	Person profile
S	Stain

4.2.3.5. PRUEM_data_result

Type of data contained in message, value can be:

Value	Description
U	Undefined, If direction = R (request)
H	HIT
N	No-HIT
E	Error

4.2.3.6. IPSTG_DNA_profile

Structure describing a DNA profile. It contains the following fields:

Fields	Type	Description
ess_issol	IPSTG_DNA_ISSOL	Group of loci corresponding to the ISSOL (standard group of Loci of Interpol)
additional_loci	IPSTG_DNA_additional_loci	Other loci
marker	String	Method used to generate of DNA
profile_id	String	Unique identifier for DNA profile

4.2.3.7. IPST_DNA_ISSOL

Structure containing the loci of ISSOL (Standard Group of Interpol loci). It contains the following fields:

Fields	Type	Description
vwa	IPST_DNA_locus	Locus vwa
th01	IPST_DNA_locus	Locus th01
d21s11	IPST_DNA_locus	Locus d21s11
fga	IPST_DNA_locus	Locus fga
d8s1179	IPST_DNA_locus	Locus d8s1179
d3s1358	IPST_DNA_locus	Locus d3s1358
d18s51	IPST_DNA_locus	Locus d18s51
amelogenin	IPST_DNA_locus	Locus amelogenin

4.2.3.8. IPST_DNA_additional_loci

Structure containing the other loci. It contains the following fields:

Fields	Type	Description
tpox	IPST_DNA_locus	Locus tpox
csf1po	IPST_DNA_locus	Locus csf1po
d13s317	IPST_DNA_locus	Locus d13s317
d7s820	IPST_DNA_locus	Locus d7s820
d5s818	IPST_DNA_locus	Locus d5s818
d16s539	IPST_DNA_locus	Locus d16s539
d2s1338	IPST_DNA_locus	Locus d2s1338
d19s433	IPST_DNA_locus	Locus d19s433
penta_d	IPST_DNA_locus	Locus penta_d
penta_e	IPST_DNA_locus	Locus penta_e
fes	IPST_DNA_locus	Locus fes
f13a1	IPST_DNA_locus	Locus f13a1
f13b	IPST_DNA_locus	Locus f13b
se33	IPST_DNA_locus	Locus se33
cd4	IPST_DNA_locus	Locus cd4
gaba	IPST_DNA_locus	Locus gaba

4.2.3.9. IPSTG_DNA_locus

Structure describing a locus. It contains the following fields:

Fields	Type	Description
low_allele	String	Lowest value of an allele
high_allele	String	Highest value of an allele

5. Application, security and communication architecture

5.1. Overview

In implementing applications for the DNA data exchange within the framework of Title II of Part Three of this Agreement, a common communication network shall be used, which will be logically closed among the States. In order to exploit this common communication infrastructure of sending requests and receiving replies in a more effective way, an asynchronous mechanism to convey DNA and dactyloscopic data requests in a wrapped SMTP e-mail message is adopted. In fulfilment of security concerns, the mechanism s/MIME as extension to the SMTP functionality will be used to establish a true end-to-end secure tunnel over the network.

The operational Trans European Services for Telematics between Administrations (TESTA) is used as the communication network for data exchange among the States. TESTA is under the responsibility of the European Commission. Taking into account that national DNA databases and the current national access points of TESTA may be located on different sites in the States, access to TESTA may be set up either by:

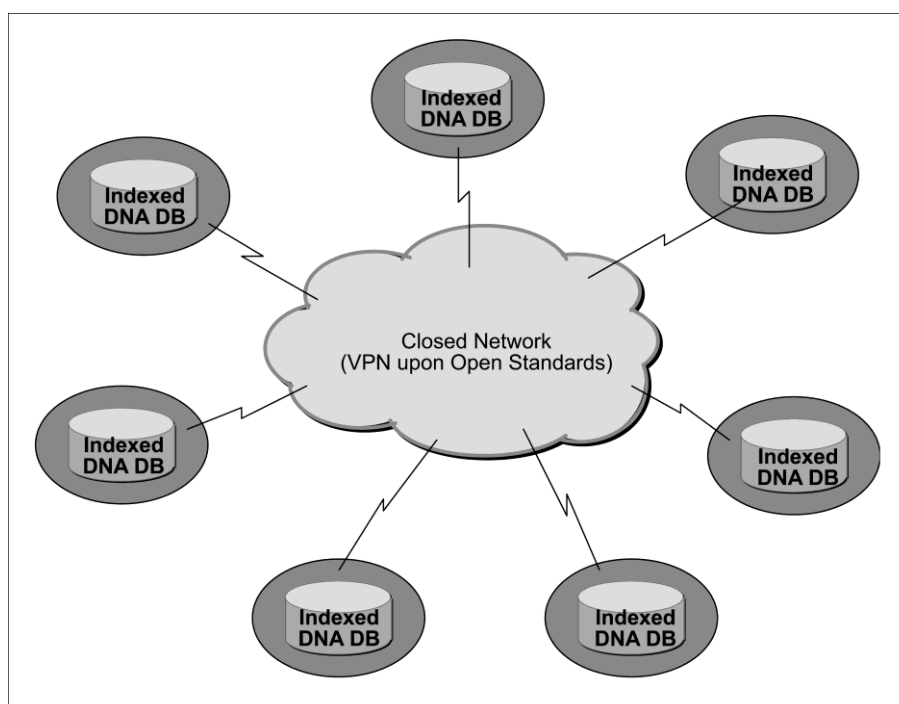
1. using the existing national access point or establishing a new national TESTA access point; or
2. setting up a secure local link from the site where the DNA database is located and managed by the competent national agency to the existing national TESTA access point.

The protocols and standards deployed in the implementation of Title II of Part Three of this Agreement applications comply with the open standards and meet the requirements imposed by national security policy makers of the States.

5.2. Upper Level Architecture

In the scope of Title II of Part Three of this Agreement, each State will make its DNA data available to be exchanged with and/or searched by other States in conformity with the standardised common data format. The architecture is based upon an any-to-any communication model. There exists neither a central computer server nor a centralised database to hold DNA profiles.

Figure 1: Topology of DNA Data Exchange



In addition to the fulfilment of domestic legal constraints at States' sites, each State may decide what kind of hardware and software should be deployed for the configuration at its site to comply with the requirements set out in Title II of Part Three of this Agreement.

5.3. Security Standards and Data Protection

Three levels of security concerns have been considered and implemented.

5.3.1. Data Level

DNA profile data provided by each State shall have to be prepared in compliance with a common data protection standard, so that requesting States will receive an answer mainly to indicate HIT or No-HIT along with an identification number in case of a HIT, which does not contain any personal information. The further investigation after the notification of a HIT will be conducted at bilateral level pursuant to the existing domestic legal and organisational regulations of the respective States' sites.

5.3.2. Communication Level

Messages containing DNA profile information (requesting and replying) will be encrypted by means of a state-of-the-art mechanism in conformity with open standards, such as s/MIME, before they are forwarded to the sites of other States.

5.3.3. Transmission Level

All encrypted messages containing DNA profile information will be forwarded onto other States' sites through a virtual private tunnelling system administered by a trusted network provider at the international level and the secure links to this tunnelling system under national responsibility. This virtual private tunnelling system does not have a connection point with the open Internet.

5.4. Protocols and Standards to be used for encryption mechanism: s/MIME and related packages

The open standard s/MIME as extension to de facto e-mail standard SMTP will be deployed to encrypt messages containing DNA profile information. The protocol s/MIME (V3) allows signed receipts, security labels, and secure mailing lists and is layered on Cryptographic Message Syntax (CMS), an Internet Engineering Task Force (IETF) specification for cryptographic protected messages. It can be used to digitally sign, digest, authenticate or encrypt any form of digital data.

The underlying certificate used by the s/MIME mechanism has to be in compliance with X.509 standard. In order to ensure common standards and procedures with other Prüm applications, the processing rules for s/MIME encryption operations or to be applied under various Commercial Product of the Shelves (COTS) environments, are as follows:

- the sequence of the operations is: first encryption and then signing,
- the encryption algorithm AES (Advanced Encryption Standard) with 256 bit key length and RSA with 1024 bit key length shall be applied for symmetric and asymmetric encryption respectively,
- the hash algorithm SHA-1 shall be applied.

s/MIME functionality is built into the vast majority of modern e-mail software packages including Outlook, Mozilla Mail as well as Netscape Communicator 4.x and inter-operates among all major e-mail software packages.

Because of s/MIME's easy integration into national IT infrastructure at all States' sites, it is selected as a viable mechanism to implement the communication security level. For achieving the goal "Proof of Concept" in a more efficient way and reducing costs the open standard JavaMail API is however chosen for prototyping DNA data exchange. JavaMail API provides simple encryption and decryption of e-mails using s/MIME and/or OpenPGP. The intent is to provide a single, easy-to-use API for e-mail clients that want to send and receive encrypted e-mail in either of the two most popular e-mail encryption formats. Therefore any state-of-the-art implementations to JavaMail API will suffice for the requirements set by Title II of Part Three of this Agreement, such as the product of Bouncy Castle JCE (Java Cryptographic Extension), which will be used to implement s/MIME for prototyping DNA data exchange among all States.

5.5. Application Architecture

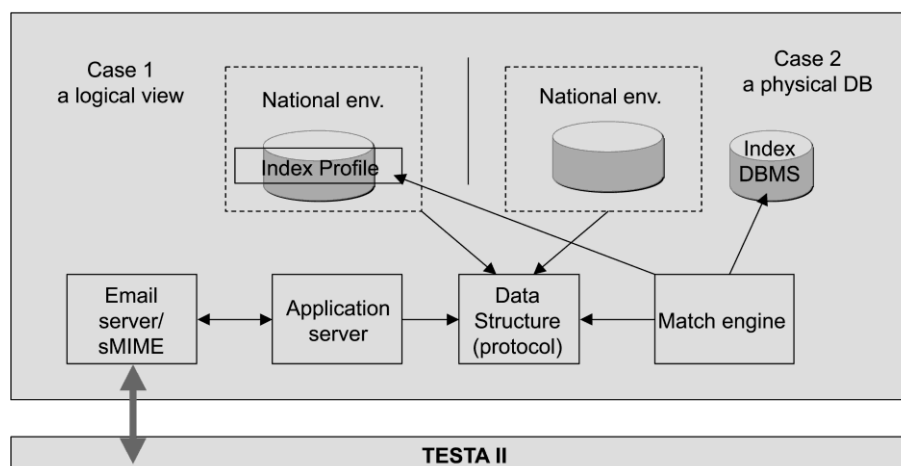
Each State will provide the other States with a set of standardised DNA profile data which are in conformity with the current common ICD. This can be done either by providing a logical view over individual national database or by establishing a physical exported database (indexed database).

The four main components: E-mail server/s/MIME, Application Server, Data Structure Area for fetching/feeding data and registering incoming/outgoing messages, and Match Engine implement the whole application logic in a product-independent way.

In order to provide all States with an easy integration of the components into their respective national sites, the specified common functionality has been implemented by means of open source components, which could be selected by each State depending on its national IT policy and regulations. Because of the independent features to be implemented to get access to indexed databases containing DNA profiles covered by Title II of Part Three of this Agreement, each State can freely select its hardware and software platform, including database and operating systems.

A prototype for the DNA Data Exchange has been developed and successfully tested over the existing common network. The version 1.0 has been deployed in the productive environment and is used for daily operations. States may use the jointly developed product but may also develop their own products. The common product components will be maintained, customised and further developed according to changing IT, forensic and/or functional police requirements.

Figure 2: Overview Application Topology



5.6. Protocols and Standards to be used for application architecture:

5.6.1. XML

The DNA data exchange will fully exploit XML-schema as attachment to SMTP e-mail messages. The eXtensible Markup Language (XML) is a W3C-recommended general-purpose markup language for creating special-purpose markup languages, capable of describing many different kinds of data. The description of the DNA profile suitable for exchange among all States has been done by means of XML and XML schema in the ICD document.

5.6.2. ODBC

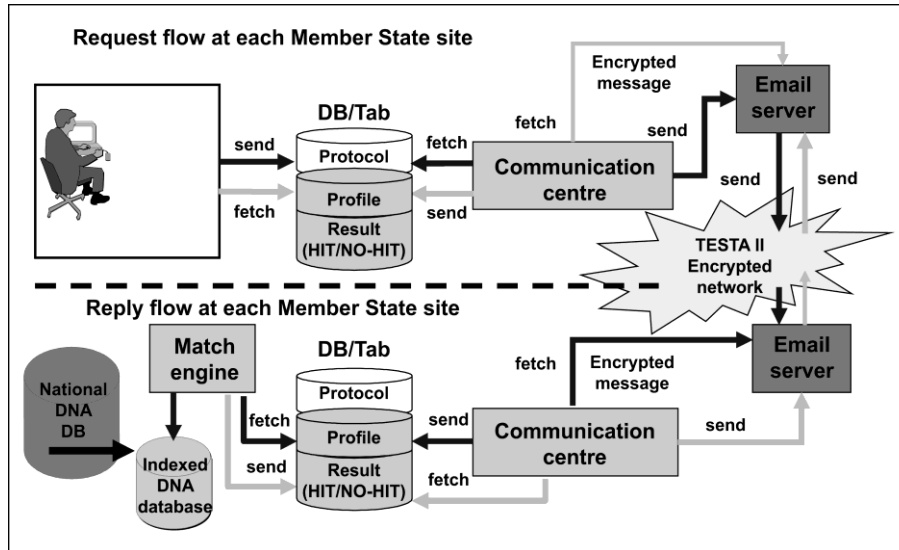
Open DataBase Connectivity provides a standard software API method for accessing database management systems and making it independent of programming languages, database and operating systems. ODBC has, however, certain drawbacks. Administering a large number of client machines can involve a diversity of drivers and DLLs. This complexity can increase system administration overhead.

5.6.3. JDBC

Java DataBase Connectivity (JDBC) is an API for the Java programming language that defines how a client may access a database. In contrast to ODBC, JDBC does not require to use a certain set of local DLLs at the Desktop.

The business logic of processing DNA profile requests and replies at each States' site is described in the following diagram. Both requesting and replying flows interact with a neutral data area comprising different data pools with a common data structure.

Figure 3: Overview Application Workflow at each State's site



5.7. Communication Environment

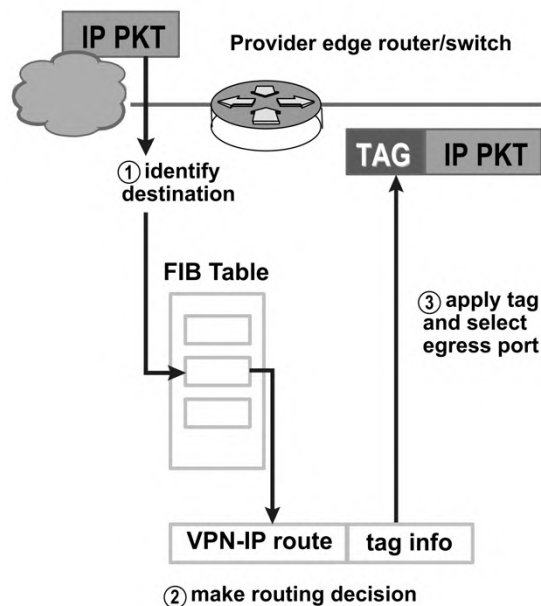
5.7.1. Common Communication Network: TESTA and its follow-up infrastructure

The application DNA data exchange will exploit the e-mail, an asynchronous mechanism, to send requests and to receive replies among the States. As all States have at least one national access point to the TESTA network, the DNA data exchange will be deployed over the TESTA network. TESTA provides a number of added-value services through its e-mail relay. In addition to hosting TESTA specific e-mail boxes, the infrastructure can implement mail distribution lists and routing policies. This allows TESTA to be used as a clearing house for messages addressed to administrations connected to the EU wide Domains. Virus check mechanisms may also be put in place.

The TESTA e-mail relay is built on a high availability hardware platform located at the central TESTA application facilities and protected by firewall. The TESTA Domain Name Systems (DNS) will resolve resource locators to IP addresses and hide addressing issues from the user and from applications.

5.7.2. Security Concern

The concept of a Virtual Private Network (VPN) has been implemented within the framework of TESTA. Tag Switching Technology used to build this VPN will evolve to support Multi-Protocol Label Switching (MPLS) standard developed by the IETF.



MPLS is an IETF standard technology that speeds up network traffic flow by avoiding packet analysis by intermediate routers (hops). This is done on the basis of so-called labels that are attached to packet by the edge routers of the backbone, on the basis of information stored in the forwarding information base (FIB). Labels are also used to implement VPNs.

MPLS combines the benefits of layer 3 routing with the advantages of layer 2 switching. Because IP addresses are not evaluated during transition through the backbone, MPLS does not impose any IP addressing limitations.

Furthermore, e-mail messages over the TESTA will be protected by s/MIME driven encryption mechanism. Without knowing the key and possessing the right certificate, nobody can decrypt messages over the network.

5.7.3. Protocols and Standards to be used over the communication network

5.7.3.1. SMTP

SMTP is the de facto standard for e-mail transmission across the Internet. SMTP is a relatively simple, text-based protocol, where one or more recipients of a message are specified and then the message text is transferred. SMTP uses TCP port 25 upon the specification by the IETF. To determine the SMTP server for a given domain name, the MX (Mail eXchange) DNS (Domain Name Systems) record is used.

Since this protocol started as purely ASCII text-based it did not deal well with binary files. Standards such as MIME were developed to encode binary files for transfer through SMTP. Today, most SMTP servers support the 8BITMIME and s/MIME extension, permitting binary files to be transmitted almost as easily as plain text. The processing rules for s/MIME operations are described in the section s/MIME (see Section 5.4).

SMTP is a "push" protocol that does not allow one to "pull" messages from a remote server on demand. To do this a mail client shall use POP3 or IMAP. Within the framework of implementing DNA data exchange it is decided to use the protocol POP3.

5.7.3.2. POP

Local e-mail clients use the Post Office Protocol version 3 (POP3), an application-layer Internet standard protocol, to retrieve e-mail from a remote server over a TCP/IP connection. By using the SMTP Submit profile of the SMTP protocol, e-mail clients send messages across the Internet or over a corporate network. MIME serves as the standard for attachments and non-ASCII text in e-mail. Although neither POP3 nor SMTP requires MIME-formatted e-mail, essentially Internet e-mail comes MIME-formatted, so POP clients must also understand and use MIME. The whole communication environment of Title II of Part Three of this Agreement will therefore include the components of POP.

5.7.4. Network Address Assignment

Operative environment

A dedicated block half B class subnet has currently been allocated by the European IP registration authority (RIPE) to TESTA. The assignment of IP addresses to States is based upon a geographical schema in Europe. The data exchange among States within the framework of Title II of Part Three of this Agreement is operated over a European wide logically closed IP network.

Testing Environment

In order to provide a smooth running environment for the daily operation among all connected States, it is necessary to establish a testing environment over the closed network for new States which prepare to join the operations. A sheet of parameters including IP addresses, network settings, e-mail domains as well as application user accounts has been specified and should be set up at the corresponding State's site. Moreover, a set of pseudo DNA profiles has been constructed for test purposes.

5.7.5. Configuration Parameters

A secure e-mail system is set up using the eu-admin.net domain. That domain with the associated addresses will not be accessible from a location not on the TESTA EU wide domain, because the names are only known on the TESTA central DNS server, which is shielded from the Internet.

The mapping of these TESTA site addresses (host names) to their IP addresses is done by the TESTA DNS service. For each Local Domain, a Mail entry will be added to this TESTA central DNS server, relaying all e-mail messages sent to TESTA Local Domains to the TESTA central Mail Relay. That TESTA central Mail Relay will then forward them to the specific Local Domain e-mail server using the Local Domain e-mail addresses. By relaying the e-mail in this way, critical information contained in e-mails will only pass the Europe-wide closed network infrastructure and not the insecure Internet.

It is necessary to establish sub-domains (**bold italics**) at the sites of all States upon the following syntax:

"***application-type.State-code.pruem.testa.eu***", where:

"State-code" takes the value of one of the two letter-code State codes (i.e. AT, BE, etc.);

"application-type" takes one of the values: DNA, FP and CAR.

By applying the above syntax, the sub domains for the States are shown in the following table:

States' sub domains syntax

State	Sub Domains	Comments
BE	dna.be.pruem.testa.eu	
	fp.be.pruem.testa.eu	
	car.be.pruem.testa.eu	
	test.dna.be.pruem.testa.eu	
	test.fp.be.pruem.testa.eu	
	test.car.be.pruem.testa.eu	
BG	dna.bg.pruem.testa.eu	
	fp.bg.pruem.testa.eu	
	car.bg.pruem.testa.eu	
	test.dna.bg.pruem.testa.eu	
	test.fp.bg.pruem.testa.eu	
	test.car.bg.pruem.testa.eu	
CZ	dna.cz.pruem.testa.eu	
	fp.cz.pruem.testa.eu	
	car.cz.pruem.testa.eu	
	test.dna.cz.pruem.testa.eu	
	test.fp.cz.pruem.testa.eu	
	test.car.cz.pruem.testa.eu	
DK	dna.dk.pruem.testa.eu	
	fp.dk.pruem.testa.eu	
	car.dk.pruem.testa.eu	
	test.dna.dk.pruem.testa.eu	
	test.fp.dk.pruem.testa.eu	
	test.car.dk.pruem.testa.eu	

State	Sub Domains	Comments
DE	dna.de.pruem.testa.eu	
	fp.de.pruem.testa.eu	
	car.de.pruem.testa.eu	
	test.dna.de.pruem.testa.eu	
	test.fp.de.pruem.testa.eu	
	test.car.de.pruem.testa.eu	
EE	dna.ee.pruem.testa.eu	
	fp.ee.pruem.testa.eu	
	car.ee.pruem.testa.eu	
	test.dna.ee.pruem.testa.eu	
	test.fp.ee.pruem.testa.eu	
	test.car.ee.pruem.testa.eu	
IE	dna.ie.pruem.testa.eu	
	fp.ie.pruem.testa.eu	
	car.ie.pruem.testa.eu	
	test.dna.ie.pruem.testa.eu	
	test.fp.ie.pruem.testa.eu	
	test.car.ie.pruem.testa.eu	
EL	dna.el.pruem.testa.eu	
	fp.el.pruem.testa.eu	
	car.el.pruem.testa.eu	
	test.dna.el.pruem.testa.eu	
	test.fp.el.pruem.testa.eu	
	test.car.el.pruem.testa.eu	

State	Sub Domains	Comments
ES	dna.es.pruem.testa.eu	
	fp.es.pruem.testa.eu	
	car.es.pruem.testa.eu	
	test.dna.es.pruem.testa.eu	
	test.fp.es.pruem.testa.eu	
	test.car.es.pruem.testa.eu	
FR	dna.fr.pruem.testa.eu	
	fp.fr.pruem.testa.eu	
	car.fr.pruem.testa.eu	
	test.dna.fr.pruem.testa.eu	
	test.fp.fr.pruem.testa.eu	
	test.car.fr.pruem.testa.eu	
HR	dna.hr.pruem.testa.eu	
	fp.hr.pruem.testa.eu	
	car.hr.pruem.testa.eu	
	test.dna.hr.pruem.testa.eu	
	test.fp.hr.pruem.testa.eu	
	test.car.hr.pruem.testa.eu	
IT	dna.it.pruem.testa.eu	
	fp.it.pruem.testa.eu	
	car.it.pruem.testa.eu	
	test.dna.it.pruem.testa.eu	
	test.fp.it.pruem.testa.eu	
	test.car.it.pruem.testa.eu	

State	Sub Domains	Comments
CY	dna.cy.pruem.testa.eu	
	fp.cy.pruem.testa.eu	
	car.cy.pruem.testa.eu	
	test.dna.cy.pruem.testa.eu	
	test.fp.cy.pruem.testa.eu	
	test.car.cy.pruem.testa.eu	
LV	dna.lv.pruem.testa.eu	
	fp.lv.pruem.testa.eu	
	car.lv.pruem.testa.eu	
	test.dna.lv.pruem.testa.eu	
	test.fp.lv.pruem.testa.eu	
	test.car.lv.pruem.testa.eu	
LT	dna.lt.pruem.testa.eu	
	fp.lt.pruem.testa.eu	
	car.lt.pruem.testa.eu	
	test.dna.lt.pruem.testa.eu	
	test.fp.lt.pruem.testa.eu	
	test.car.lt.pruem.testa.eu	
LU	dna.lu.pruem.testa.eu	
	fp.lu.pruem.testa.eu	
	car.lu.pruem.testa.eu	
	test.dna.lu.pruem.testa.eu	
	test.fp.lu.pruem.testa.eu	
	test.car.lu.pruem.testa.eu	

State	Sub Domains	Comments
HU	dna.hu.pruem.testa.eu	
	fp.hu.pruem.testa.eu	
	car.hu.pruem.testa.eu	
	test.dna.hu.pruem.testa.eu	
	test.fp.hu.pruem.testa.eu	
	test.car.hu.pruem.testa.eu	
MT	dna.mt.pruem.testa.eu	
	fp.mt.pruem.testa.eu	
	car.mt.pruem.testa.eu	
	test.dna.mt.pruem.testa.eu	
	test.fp.mt.pruem.testa.eu	
	test.car.mt.pruem.testa.eu	
NL	dna.nl.pruem.nl.testa.eu	
	fp.nl.pruem.testa.eu	
	car.nl.pruem.testa.eu	
	test.dna.nl.pruem.testa.eu	
	test.fp.nl.pruem.testa.eu	
	test.car.nl.pruem.testa.eu	
AT	dna.at.pruem.testa.eu	
	fp.at.pruem.testa.eu	
	car.at.pruem.testa.eu	
	test.dna.at.pruem.testa.eu	
	test.fp.at.pruem.testa.eu	
	test.car.at.pruem.testa.eu	

State	Sub Domains	Comments
PL	dna.pl.pruem.testa.eu	
	fp.pl.pruem.testa.eu	
	car.pl.pruem.testa.eu	
	test.dna.pl.pruem.testa.eu	
	test.fp.pl.pruem.testa.eu	
	test.car.pl.pruem.testa.eu	
PT	dna.pt.pruem.testa.eu	
	fp.pt.pruem.testa.eu	
	car.pt.pruem.testa.eu	
	test.dna.pt.pruem.testa.eu	
	test.fp.pt.pruem.testa.eu	
	test.car.pt.pruem.testa.eu	
RO	dna.ro.pruem.testa.eu	
	fp.ro.pruem.testa.eu	
	car.ro.pruem.testa.eu	
	test.dna.ro.pruem.testa.eu	
	test.fp.ro.pruem.testa.eu	
	test.car.ro.pruem.testa.eu	
SI	dna.si.pruem.testa.eu	
	fp.si.pruem.testa.eu	
	car.si.pruem.testa.eu	
	test.dna.si.pruem.testa.eu	
	test.fp.si.pruem.testa.eu	
	test.car.si.pruem.testa.eu	

State	Sub Domains	Comments
SK	dna.sk.pruem.testa.eu	
	fp.sk.pruem.testa.eu	
	car.sk.pruem.testa.eu	
	test.dna.sk.pruem.testa.eu	
	test.fp.sk.pruem.testa.eu	
	test.car.sk.pruem.testa.eu	
FI	dna.fi.pruem.testa.eu	
	fp.fi.pruem.testa.eu	
	car.fi.pruem.testa.eu	
	test.dna.fi.pruem.testa.eu	
	test.fp.fi.pruem.testa.eu	
	test.car.fi.pruem.testa.eu	
SE	dna.se.pruem.testa.eu	
	fp.se.pruem.testa.eu	
	car.se.pruem.testa.eu	
	test.dna.se.pruem.testa.eu	
	test.fp.se.pruem.testa.eu	
	test.car.se.pruem.testa.eu	
UK	dna.uk.pruem.testa.eu	
	fp.uk.pruem.testa.eu	
	car.uk.pruem.testa.eu	
	test.dna.uk.pruem.testa.eu	
	test.fp.uk.pruem.testa.eu	
	test.car.uk.pruem.testa.eu	

CHAPTER 2

EXCHANGE OF DACTYLOSCOPIC DATA (INTERFACE CONTROL DOCUMENT)

The purpose of the following document interface Control Document is to define the requirements for the exchange of dactyloscopic information between the Automated Fingerprint Identification Systems (AFIS) of the States. It is based on the Interpol-Implementation of ANSI/NIST-ITL 1-2000 (INT-I, Version 4.22b).

This version shall cover all basic definitions for Logical Records Type-1, Type-2, Type-4, Type-9, Type-13 and Type-15 required for image- and minutiaë-based dactyloscopic processing.

1. File Content Overview

A dactyloscopic file consists of several logical records. There are sixteen types of record specified in the original ANSI/NIST-ITL 1-2000 standard. Appropriate ASCII separation characters are used between each record and the fields and subfields within the records.

Only 6 record types are used to exchange information between the originating and the destination agency:

Type-1	→	Transaction information
Type-2	→	Alphanumeric persons/case data
Type-4	→	High resolution greyscale dactyloscopic images
Type-9	→	Minutiæ Record
Type-13	→	Variable resolution latent image record
Type-15	→	Variable resolution palmprint image record

1.1. Type-1 — File header

This record contains routing information and information describing the structure of the rest of the file. This record type also defines the types of transaction which fall under the following broad categories:

1.2. Type-2 — Descriptive text

This record contains textual information of interest to the sending and receiving agencies.

1.3. Type-4 — High resolution greyscale image

This record is used to exchange high resolution greyscale (eight bit) dactyloscopic images sampled at 500 pixels/inch. The dactyloscopic images shall be compressed using the WSQ algorithm with a ratio of not more than 15:1. Other compression algorithms or uncompressed images shall not be used.

1.4. Type-9 — Minutiæ record

Type-9 records are used to exchange ridge characteristics or minutiæ data. Their purpose is partly to avoid unnecessary duplication of AFIS encoding processes and partly to allow the transmission of AFIS codes which contain less data than the corresponding images.

1.5. Type-13 — Variable-Resolution Latent Image Record

This record shall be used to exchange variable-resolution latent fingerprint and latent palmprint images together with textural alphanumerical information. The scanning resolution of the images shall be 500 pixels/inch with 256 grey-levels. If the quality of the latent image is sufficient it shall be compressed using WSQ-algorithm. If necessary the resolution of the images may be expanded to more than 500 pixels/inch and more than 256 grey-levels by mutual agreement. In that case, it is strongly recommended to use JPEG 2000 (see Appendix 39-7).

1.6. Variable-Resolution Palmprint Image Record

Type-15 tagged field image records shall be used to exchange variable-resolution palmprint images together with textural alphanumerical information. The scanning resolution of the images shall be 500 pixels/inch with 256 grey-levels. To minimise the amount of data, all palmprint images shall be compressed using WSQ-algorithm. If necessary the resolution of the images may be expanded to more than 500 pixels/inch and more than 256 grey-levels by mutual agreement. In that case, it is strongly recommended to use JPEG 2000 (see Appendix 39-7).

2. Record format

A transaction file shall consist of one or more logical records. For each logical record contained in the file, several information fields appropriate to that record type shall be present. Each information field may contain one or more basic single-valued information items. Taken together these items are used to convey different aspects of the data contained in that field. An information field may also consist of one or more information items grouped together and repeated multiple times within a field. Such a group of information items is known as a subfield. An information field may therefore consist of one or more subfields of information items.

2.1. Information separators

In the tagged-field logical records, mechanisms for delimiting information are implemented by use of four ASCII information separators. The delimited information may be items within a field or subfield, fields within a logical record, or multiple occurrences of subfields. These information separators are defined in the standard ANSI X3.4. These characters are used to separate and qualify information in a logical sense. Viewed in a hierarchical relationship, the File Separator "FS" character is the most inclusive followed by the Group Separator "GS", the Record Separator "RS", and finally the Unit Separator "US" characters. Table 1 lists these ASCII separators and a description of their use within this standard.

Information separators should be functionally viewed as an indication of the type data that follows. The "US" character shall separate individual information items within a field or subfield. This is a signal that the next information item is a piece of data for that field or subfield. Multiple subfields within a field separated by the "RS" character signals the start of the next group of repeated information item(s). The "GS" separator character used between information fields signals the beginning of a new field preceding the field identifying number that shall appear. Similarly, the beginning of a new logical record shall be signalled by the appearance of the "FS" character.

The four characters are only meaningful when used as separators of data items in the fields of the ASCII text records. There is no specific meaning attached to these characters occurring in binary image records and binary fields — they are just part of the exchanged data.

Normally, there should be no empty fields or information items and therefore only one separator character should appear between any two data items. The exception to this rule occurs for those instances where the data in fields or information items in a transaction are unavailable, missing, or optional, and the processing of the transaction is not dependent upon the presence of that particular data. In those instances, multiple and adjacent separator characters shall appear together rather than requiring the insertion of dummy data between separator characters.

For the definition of a field that consists of three information items, the following applies. If the information for the second information item is missing, then two adjacent "US" information separator characters would occur between the first and third information items. If the second and third information items were both missing, then three separator characters should be used — two "US" characters in addition to the terminating field or subfield separator character. In general, if one or more mandatory or optional information items are unavailable for a field or subfield, then the appropriate number of separator character should be inserted.

It is possible to have side-by-side combinations of two or more of the four available separator characters. When data are missing or unavailable for information items, subfields, or fields, there shall be one separator character less than the number of data items, subfields, or fields required.

Table 1: Separators Used				
Code	Type	Description	Hexadecimal Value	Decimal Value
US	Unit Separator	Separates information items	1F	31
RS	Record Separator	Separates subfields	1E	30
GS	Group Separator	Separates fields	1D	29
FS	File Separator	Separates logical records	1C	28

2.2. Record layout

For tagged-field logical records, each information field that is used shall be numbered in accordance with this standard. The format for each field shall consist of the logical record type number followed by a period ".", a field number followed by a colon ":", followed by the information appropriate to that field. The tagged-field number can be any one-to-nine digit number occurring between the period "." and the colon ":". It shall be interpreted as an unsigned integer field number. This implies that a field number of "2.123:" is equivalent to and shall be interpreted in the same manner as a field number of "2.000000123:".

For purposes of illustration throughout this document, a three-digit number shall be used for enumerating the fields contained in each of the tagged-field logical records described herein. Field numbers will have the form of "TT.xxx:" where the "TT" represents the one- or two-character record type followed by a period. The next three characters comprise the appropriate field number followed by a colon. Descriptive ASCII information or the image data follows the colon.

Logical Type-1 and Type-2 records contain only ASCII textual data fields. The entire length of the record (including field numbers, colons, and separator characters) shall be recorded as the first ASCII field within each of these record types. The ASCII File Separator "FS" control character (signifying the end of the logical record or transaction) shall follow the last byte of ASCII information and shall be included in the length of the record.

In contrast to the tagged-field concept, the Type-4 record contains only binary data recorded as ordered fixed-length binary fields. The entire length of the record shall be recorded in the first four-byte binary field of each record. For this binary record, neither the record number with its period, nor the field identifier number and its following colon, shall be recorded. Furthermore, as all the field lengths of this record is either fixed or specified, none of the four separator characters ("US", "RS", "GS", or "FS") shall be interpreted as anything other than binary data. For the binary record, the "FS" character shall not be used as a record separator or transaction terminating character.

3. Type-1 Logical Record: the File Header

This record describes the structure of the file, the type of the file, and other important information. The character set used for Type-1 fields shall contain only the 7-bit ANSI code for information interchange.

3.1. Fields for Type-1 Logical Record

3.1.1. Field 1.001: Logical Record Length (LEN)

This field contains the total count of the number of bytes in the whole Type-1 logical record. The field begins with "1.001:", followed by the total length of the record including every character of every field and the information separators.

3.1.2. Field 1.002: Version Number (VER)

To ensure that users know which version of the ANSI/NIST standard is being used, this four byte field specifies the version number of the standard being implemented by the software or system creating the file. The first two bytes specify the major version reference number, the second two the minor revision number. For example, the original 1986 Standard would be considered the first version and designated "0100" while the present ANSI/NIST-ITL 1-2000 standard is "0300".

3.1.3. Field 1.003: File Content (CNT)

This field lists each of the records in the file by record type and the order in which the records appear in the logical file. It consists of one or more subfields, each of which in turn contains two information items describing a single logical record found in the current file. The subfields are entered in the same order in which the records are recorded and transmitted.

The first information item in the first subfield is "1", to refer to this Type-1 record. It is followed by a second information item which contains the number of other records contained in the file. This number is also equal to the count of the remaining subfields of field 1.003.

Each of the remaining subfields is associated with one record within the file, and the sequence of subfields corresponds to the sequence of records. Each subfield contains two items of information. The first is to identify the Type of the record. The second is the record's IDC. The "US" character shall be used to separate the two information items.

3.1.4. Field 1.004: Type of Transaction (TOT)

This field contains a three letter mnemonic designating the type of the transaction. These codes may be different from those used by other implementations of the ANSI/NIST standard.

CPS: Criminal Print-to-Print Search. This transaction is a request for a search of a record relating to a criminal offence against a prints database. The person's prints shall be included as WSQ-compressed images in the file.

In case of a No-HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record.

In case of a HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record,

- 1-14 Type-4 Record.

The CPS TOT is summarised in Table A.6.1 (Appendix 39-6).

PMS: Print-to-Latent Search. This transaction is used when a set of prints is searched against an Unidentified Latent database. The response will contain the HIT/No-HIT decision of the destination AFIS search. If multiple unidentified latents exist, multiple SRE transactions will be returned, with one latent per transaction. The person's prints shall be included as WSQ-compressed images in the file.

In case of a No-HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record.

In case of a HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record,
- 1 Type-13 Record.

The PMS TOT is summarised in Table A.6.1 (Appendix 39-6).

MPS: Latent-to-Print Search. This transaction is used when a latent is to be searched against a Prints database. The latent minutiae information and the image (WSQ-compressed) shall be included in the file.

In case of a No-HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record.

In case of a HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record,
- 1 Type-4 or Type-15 Record.

The MPS TOT is summarised in Table A.6.4 (Appendix 39-6).

MMS: Latent-to-Latent Search. In this transaction the file contains a latent which is to be searched against an Unidentified Latent database in order to establish links between various scenes of crime. The latent minutiae information and the image (WSQ-compressed) must be included in the file.

In case of a No-HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record.

In case of a HIT, the following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record,
- 1 Type-13 Record.

The MMS TOT is summarised in Table A.6.4 (Appendix 39-6).

SRE: This transaction is returned by the destination agency in response to dactyloscopic submissions. The response will contain the HIT/No-HIT decision of the destination AFIS search. If multiple candidates exist, multiple SRE transactions will be returned, with one candidate per transaction.

The SRE TOT is summarised in Table A.6.2 (Appendix 39-6).

ERR: This transaction is returned by the destination AFIS to indicate a transaction error. It includes a message field (ERM) indicating the error detected. The following logical records will be returned:

- 1 Type-1 Record,
- 1 Type-2 Record.

The ERR TOT is summarised in Table A.6.3 (Appendix 39-6).

Transaction Type	Logical Record Type					
	1	2	4	9	13	15
CPS	M	M	M	—	—	—
SRE	M	M	C	— (C in case of latent HITs)	C	C
MPS	M	M	—	M (1*)	M	—
MMS	M	M	—	M (1*)	M	—
PMS	M	M	M*	—	—	M*
ERR	M	M	—	—	—	—

Key:

M	=	Mandatory,
M*	=	Only one of both record-types may be included,
O	=	Optional,
C	=	Conditional on whether data is available,
—	=	Not allowed,
1*	=	Conditional depending on legacy systems.

3.1.5. Field 1.005: Date of Transaction (DAT)

This field indicates the date on which the transaction was initiated and shall conform to the ISO standard notation of: YYYYMMDD

where YYYY is the year, MM is the month and DD is the day of the month. Leading zeros are used for single figure numbers. For example, "19931004" represents 4 October 1993.

3.1.6. Field 1.006: Priority (PRY)

This optional field defines the priority, on a level of 1 to 9, of the request. "1" is the highest priority and "9" the lowest. Priority "1" transactions shall be processed immediately.

3.1.7. Field 1.007: Destination Agency Identifier (DAI)

This field specifies the destination agency for the transaction.

It consists of two information items in the following format: CC/agency.

The first information item contains the Country Code, defined in ISO 3166, two alpha-numeric characters long. The second item, agency, is a free text identification of the agency, up to a maximum of 32 alpha-numeric characters.

3.1.8. Field 1.008: Originating Agency Identifier (ORI)

This field specifies the file originator and has the same format as the DAI (Field 1.007).

3.1.9. Field 1.009: Transaction Control Number (TCN)

This is a control number for reference purposes. It should be generated by the computer and have the following format: YYSSSSSSSSA

where YY is the year of the transaction, SSSSSSSS is an eight-digit serial number, and A is a check character generated by following the procedure given in Appendix 39-2.

Where a TCN is not available, the field, YYSSSSSSSS, is filled with zeros and the check character generated as above.

3.1.10. Field 1.010: Transaction Control Response (TCR)

Where a request was sent out, to which this is the response, this optional field will contain the transaction control number of the request message. It therefore has the same format as TCN (Field 1.009).

3.1.11. Field 1.011: Native Scanning Resolution (NSR)

This field specifies the normal scanning resolution of the system supported by the originator of the transaction. The resolution is specified as two numeric digits followed by the decimal point and then two more digits.

For all transactions pursuant to Articles 533 and 534 of this Agreement the sampling rate shall be 500 pixels/inch or 19,68 pixels/mm.

3.1.12. Field 1.012: Nominal Transmitting Resolution (NTR)

This five-byte field specifies the nominal transmitting resolution for the images being transmitted. The resolution is expressed in pixels/mm in the same format as NSR (Field 1.011).

3.1.13. Field 1.013: Domain name (DOM)

This mandatory field identifies the domain name for the user-defined Type-2 logical record implementation. It consists of two information items and shall be "INT-I{} {US}{}4.22{} {GS}{}".

3.1.14. Field 1.014: Greenwich mean time (GMT)

This mandatory field provides a mechanism for expressing the date and time in terms of universal Greenwich Mean Time (GMT) units. If used, the GMT field contains the universal date that will be in addition to the local date contained in Field 1.005 (DAT). Use of the GMT field eliminates local time inconsistencies encountered when a transaction and its response are transmitted between two places separated by several time zones. The GMT provides a universal date and 24-hour clock time independent of time zones. It is represented as "CCYYMMDDHHMMSSZ", a 15-character string that is the concatenation of the date with the GMT and concludes with a "Z". The "CCYY" characters shall represent the year of the transaction, the "MM" characters shall be the tens and units values of the month, and the "DD" characters shall be the tens and units values of the day of the month, the "HH" characters represent the hour, the "MM" the minute, and the "SS" represents the second. The complete date shall not exceed the current date.

4. Type-2 Logical Record: Descriptive Text

The structure of most of this record is not defined by the original ANSI/NIST standard. The record contains information of specific interest to the agencies sending or receiving the file. To ensure that communicating dactyloscopic systems are compatible, it is required that only the fields listed below are contained within the record. This document specifies which fields are mandatory and which optional, and also defines the structure of the individual fields.

4.1. Fields for Type-2 Logical Record

4.1.1. Field 2.001: Logical Record Length (LEN)

This mandatory field contains the length of this Type-2 record, and specifies the total number of bytes including every character of every field contained in the record and the information separators.

4.1.2. Field 2.002: Image Designation Character (IDC)

The IDC contained in this mandatory field is an ASCII representation of the IDC as defined in the File Content field (CNT) of the Type-1 record (Field 1.003).

4.1.3. Field 2.003: System Information (SYS)

This field is mandatory and contains four bytes which indicate which version of the INT-I this particular Type-2 record complies with.

The first two bytes specify the major version number, the second two the minor revision number. For example, this implementation is based on INT-I version 4 revision 22 and would be represented as "0422".

4.1.4. Field 2.007: Case Number (CNO)

This is a number assigned by the local dactyloscopic bureau to a collection of latents found at a scene-of-crime. The following format is adopted: CC/number

where CC is the Interpol Country Code, two alpha-numeric characters in length, and the number complies with the appropriate local guidelines and may be up to 32 alpha-numeric characters long.

This field allows the system to identify latents associated with a particular crime.

4.1.5. Field 2.008: Sequence Number (SQN)

This specifies each sequence of latents within a case. It can be up to four numeric characters long. A sequence is a latent or series of latents which are grouped together for the purposes of filing and/or searching. This definition implies that even single latents will still have to be assigned a sequence number.

This field together with MID (Field 2.009) may be included to identify a particular latent within a sequence.

4.1.6. Field 2.009: Latent Identifier (MID)

This specifies the individual latent within a sequence. The value is a single letter or two letters, with "A" assigned to the first latent, "B" to the second, and so on up to a limit of "ZZ". This field is used analogue to the latent sequence number discussed in the description for SQN (Field 2.008).

4.1.7. Field 2.010: Criminal Reference Number (CRN)

This is a unique reference number assigned by a national agency to an individual who is charged for the first time with committing an offence. Within one country no individual ever has more than one CRN, or shares it with any other individual. However, the same individual may have Criminal Reference Numbers in several countries, which will be distinguishable by means of the country code.

The following format is adopted for CRN field: CC/number

where CC is the Country Code, defined in ISO 3166, two alpha-numeric characters in length, and the number complies with the appropriate national guidelines of the issuing agency, and may be up to 32 alpha-numeric characters long.

For transactions pursuant to Articles 533 and 534 of this Agreement this field will be used for the national criminal reference number of the originating agency which is linked to the images in Type-4 or Type-15 Records.

4.1.8. Field 2.012: Miscellaneous Identification Number (MN1)

This fields contains the CRN (Field 2.010) transmitted by a CPS or PMS transaction without the leading country code.

4.1.9. Field 2.013: Miscellaneous Identification Number (MN2)

This fields contains the CNO (Field 2.007) transmitted by an MPS or MMS transaction without the leading country code.

4.1.10. Field 2.014: Miscellaneous Identification Number (MN3)

This fields contains the SQN (Field 2.008) transmitted by an MPS or MMS transaction.

4.1.11. Field 2.015: Miscellaneous Identification Number (MN4)

This fields contains the MID (Field 2.009) transmitted by an MPS or MMS transaction.

4.1.12. Field 2.063: Additional Information (INF)

In case of an SRE transaction to a PMS request this field gives information about the finger which caused the possible HIT. The format of the field is:

NN where NN is the finger position code defined in Table 5, two digits in length.

In all other cases the field is optional. It consists of up to 32 alpha-numeric characters and may give additional information about the request.

4.1.13. Field 2.064: Respondents List (RLS)

This field contains at least two subfields. The first subfield describes the type of search that has been carried out, using the three-letter mnemonics which specify the transaction type in TOT (Field 1.004). The second subfield contains a single character. An "I" shall be used to indicate that a HIT has been found and an "N" shall be used to indicate that no matching cases have been found (No-HIT). The third subfield contains the sequence identifier for the candidate result and the total number of candidates separated by a slash. Multiple messages will be returned if multiple candidates exist.

In case of a possible HIT the fourth subfield shall contain the score up to six digits long. If the HIT has been verified the value of this subfield is defined as "999999".

Example: "CPS {} {RS} {} I {} {RS} {} 001/001 {} {RS} {} 999999 {} {GS} {}"

If the remote AFIS does not assign scores, then a score of zero should be used at the appropriate point.

4.1.14. Field 2.074: Status/Error Message Field (ERM)

This field contains error messages resulting from transactions, which will be sent back to the requester as part of an Error Transaction.

Table 3: Error messages	
Numeric code (1-3)	Meaning (5-128)
003	ERROR: UNAUTHORISED ACCESS
101	Mandatory field missing
102	Invalid record type
103	Undefined field
104	Exceed the maximum occurrence
105	Invalid number of subfields
106	Field length too short
107	Field length too long
108	Field is not a number as expected
109	Field number value too small
110	Field number value too big
111	Invalid character
112	Invalid date
115	Invalid item value
116	Invalid type of transaction
117	Invalid record data
201	ERROR: INVALID TCN
501	ERROR: INSUFFICIENT FINGERPRINT QUALITY
502	ERROR: MISSING FINGERPRINTS
503	ERROR: FINGERPRINT SEQUENCE CHECK FAILED
999	ERROR: ANY OTHER ERROR. FOR FURTHER DETAILS CALL DESTINATION AGENCY.

Error messages in the range between 100 and 199:

These error messages are related to the validation of the ANSI/NIST records and defined as:

<error_code 1>: IDC <idc_number 1> FIELD <field_id 1> <dynamic text 1> LF

<error_code 2>: IDC <idc_number 2> FIELD <field_id 2> <dynamic text 2>...

where

- error_code is a code uniquely related to a specific reason (see Table 3),
- field_id is the ANSI/NIST field number of the incorrect field (e.g. 1.001, 2.001, ...) in the format <record_type>.<field_id>.<sub_field_id>,
- dynamic text is a more detailed dynamic description of the error,
- LF is a Line Feed separating errors if more than one error is encountered,
- for type-1 record the ICD is defined as "-1".

Example:

201: IDC - 1 FIELD 1.009 WRONG CONTROL CHARACTER {} {LF}} 115: IDC 0 FIELD 2.003
INVALID SYSTEM INFORMATION

This field is mandatory for error transactions.

4.1.15. Field 2.320: Expected Number of Candidates (ENC)

This field contains the maximum number of candidates for verification expected by the requesting agency. The value of ENC shall not exceed the values defined in Table 11.

5. Type-4 Logical Record: High Resolution GreyScale Image

It should be noted that Type-4 records are binary rather than ASCII in nature. Therefore each field is assigned a specific position within the record, which implies that all fields are mandatory.

The standard allows both image size and resolution to be specified within the record. It requires Type-4 Logical Records to contain dactyloscopic image data that are being transmitted at a nominal pixel density of 500 to 520 pixels per inch. The preferred rate for new designs is at a pixel density of 500 pixels per inch or 19,68 pixels per mm. 500 pixels per inch is the density specified by the INT-I, except that similar systems may communicate with each other at a non-preferred rate, within the limits of 500 to 520 pixels per inch.

5.1. Fields for Type-4 Logical Record

5.1.1. Field 4.001: Logical Record Length (LEN)

This four-byte field contains the length of this Type-4 record, and specifies the total number of bytes including every byte of every field contained in the record.

5.1.2. Field 4.002: Image Designation Character (IDC)

This is the one-byte binary representation of the IDC number given in the header file.

5.1.3. Field 4.003: Impression Type (IMP)

The impression type is a single-byte field occupying the sixth byte of the record.

Code	Description
0	Live-scan of plain fingerprint
1	Live-scan of rolled fingerprint
2	Non-live scan impression of plain fingerprint captured from paper
3	Non-live scan impression of rolled fingerprint captured from paper
4	Latent impression captured directly
5	Latent tracing
6	Latent photo
7	Latent lift
8	Swipe
9	Unknown

5.1.4. Field 4.004: Finger Position (FGP)

This fixed-length field of six bytes occupies the seventh through twelfth byte positions of a Type-4 record. It contains possible finger positions beginning in the left most byte (byte seven of the record). The known or most probable finger position is taken from Table 5. Up to five additional fingers may be referenced by entering the alternate finger positions in the remaining five bytes using the same format. If fewer than five finger position references are to be used the unused bytes are filled with binary 255. To reference all finger positions code 0, for unknown, is used.

Finger position	Finger code	Width (mm)	Length (mm)
Unknown	0	40,0	40,0
Right thumb	1	45,0	40,0
Right index finger	2	40,0	40,0
Right middle finger	3	40,0	40,0
Right ring finger	4	40,0	40,0
Right little finger	5	33,0	40,0
Left thumb	6	45,0	40,0
Left index finger	7	40,0	40,0
Left middle finger	8	40,0	40,0
Left ring finger	9	40,0	40,0
Left little finger	10	33,0	40,0
Plain right thumb	11	30,0	55,0
Plain left thumb	12	30,0	55,0
Plain right four fingers	13	70,0	65,0
Plain left four fingers	14	70,0	65,0

For scene of crime latents only the codes 0 to 10 should be used.

5.1.5. Field 4.005: Image Scanning Resolution (ISR)

This one-byte field occupies the 13th byte of a Type-4 record. If it contains "0" then the image has been sampled at the preferred scanning rate of 19,68 pixels/mm (500 pixels per inch). If it contains "1" then the image has been sampled at an alternative scanning rate as specified in the Type-1 record.

5.1.6. Field 4.006: Horizontal Line Length (HLL)

This field is positioned at bytes 14 and 15 within the Type-4 record. It specifies the number of pixels contained in each scan line. The first byte will be the most significant.

5.1.7. Field 4.007: Vertical Line Length (VLL)

This field records in bytes 16 and 17 the number of scan lines present in the image. The first byte is the most significant.

5.1.8. Field 4.008: Greyscale Compression Algorithm (GCA)

This one-byte field specifies the greyscale compression algorithm used to encode the image data. For this implementation, a binary code 1 indicates that WSQ compression (Appendix 39-7) has been used.

5.1.9. Field 4.009: The Image

This field contains a byte stream representing the image. Its structure will obviously depend on the compression algorithm used.

6. Type-9 Logical Record: Minutiæ Record

Type-9 records shall contain ASCII text describing minutiæ and related information encoded from a latent. For latent search transaction, there is no limit for these Type-9 records in a file, each of which shall be for a different view or latent.

6.1. Minutiæ extraction

6.1.1. Minutia type identification

This standard defines three identifier numbers that are used to describe the minutia type. These are listed in Table 6. A ridge ending shall be designated Type 1. A bifurcation shall be designated Type 2. If a minutia cannot be clearly categorised as one of the above two types, it shall be designated as "other", Type 0.

Type	Description
0	Other
1	Ridge ending
2	Bifurcation

6.1.2. Minutia placement and type

For templates to be compliant with Section 5 of the ANSI INCITS 378-2004 standard, the following method, which enhances the current INCITS 378-2004 standard, shall be used for determining placement (location and angular direction) of individual minutia.

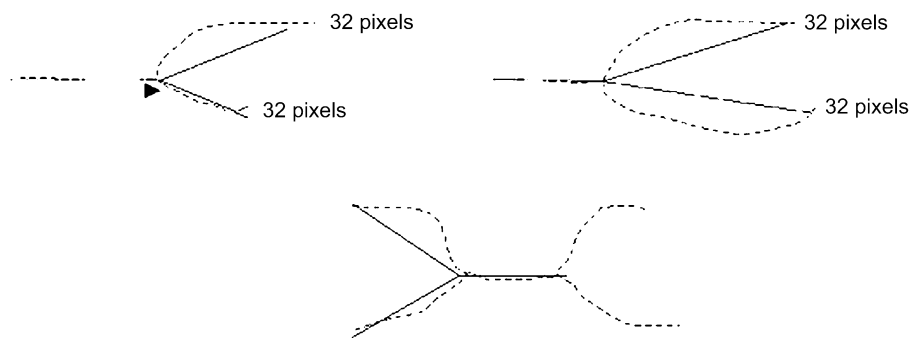
The position or location of a minutia representing a ridge ending shall be the point of forking of the medial skeleton of the valley area immediately in front of the ridge ending. If the three legs of the valley area were thinned down to a single-pixel-wide skeleton, the point of the intersection is the location of the minutia. Similarly, the location of the minutia for a bifurcation shall be the point of forking of the medial skeleton of the ridge. If the three legs of the ridge were each thinned down to a single-pixel-wide skeleton, the point where the three legs intersect is the location of the minutia.

After all ridge endings have been converted to bifurcations, all of the minutia of the dactyloscopic image are represented as bifurcations. The X and Y pixel coordinates of the intersection of the three legs of each minutia can be directly formatted. Determination of the minutia direction can be extracted from each skeleton bifurcation. The three legs of every skeleton bifurcation shall be examined and the endpoint of each leg determined. Figure 6.1.2 illustrates the three methods used for determining the end of a leg that is based on a scanning resolution of 500 ppi.

The ending is established according to the event that occurs first. The pixel count is based on a scan resolution of 500 ppi. Different scan resolutions would imply different pixel counts.

- a distance of 0,064" (the 32nd pixel),
- the end of skeleton leg that occurs between a distance of 0,02" and 0,064" (the 10th through the 32nd pixels); shorter legs are not used,
- a second bifurcation is encountered within a distance of 0,064" (before the 32nd pixel).

Figure 4



The angle of the minutiae is determined by constructing three virtual rays originating at the bifurcation point and extending to the end of each leg. The smallest of the three angles formed by the rays is bisected to indicate the minutiae direction.

6.1.3. Coordinate system

The coordinate system used to express the minutiae of a fingerprint shall be a Cartesian coordinate system. Minutiae locations shall be represented by their x and y coordinates. The origin of the coordinate system shall be the upper left corner of the original image with x increasing to the right and y increasing downward. Both x and y coordinates of a minutiae shall be represented in pixel units from the origin. It should be noted that the location of the origin and units of measure is not in agreement with the convention used in the definitions of the Type 9 in the ANSI/NIST-ITL 1-2000.

6.1.4. Minutiae direction

Angles are expressed in standard mathematical format, with zero degrees to the right and angles increasing in the counter clockwise direction. Recorded angles are in the direction pointing back along the ridge for a ridge ending and toward the centre of the valley for a bifurcation. This convention is 180 degrees opposite of the angle convention described in the definitions of the Type 9 in the ANSI/NIST-ITL 1-2000.

6.2. Fields for Type-9 Logical record INCITS-378 Format

All fields of the Type-9 records shall be recorded as ASCII text. No binary fields are permissible in this tagged-field record.

6.2.1. Field 9.001: Logical record length (LEN)

This mandatory ASCII field shall contain the length of the logical record specifying the total number of bytes, including every character of every field contained in the record.

6.2.2. Field 9.002: Image designation character (IDC)

This mandatory two-byte field shall be used for the identification and location of the minutiae data. The IDC contained in this field shall match the IDC found in the file content field of the Type-1 record.

6.2.3. Field 9.003: Impression type (IMP)

This mandatory one-byte field shall describe the manner by which the dactyloscopic image information was obtained. The ASCII value of the proper code as selected from Table 4 shall be entered in this field to signify the impression type.

6.2.4. Field 9.004: Minutiae format (FMT)

This field shall contain a "U" to indicate that the minutiae are formatted in M1-378 terms. Even though information may be encoded in accordance with the M1-378 standard, all data fields of the Type-9 record shall remain as ASCII text fields.

6.2.5. Field 9.126: CBEFF information

This field shall contain three information items. The first information item shall contain the value "27" (0x1B). This is the identification of the CBEFF Format Owner assigned by the International Biometric Industry Association (IBIA) to INCITS Technical Committee M1. The <US> character shall delimit this item from the CBEFF Format Type that is assigned a value of "513" (0x0201) to indicate that this record contains only location and angular direction data without any Extended Data Block information. The <US> character shall delimit this item from the CBEFF Product Identifier (PID) that identifies the "owner" of the encoding equipment. The vendor establishes this value. It can be obtained from the IBIA website (www.ibia.org) if it is posted.

6.2.6. Field 9.127: Capture equipment identification

This field shall contain two information items separated by the <US> character. The first shall contain "APPF" if the equipment used originally to acquire the image was certified to comply with Appendix F (IAFIS Image Quality Specification, 29 January 1999) of CJIS-RS-0010, the Federal Bureau of Investigation's Electronic Fingerprint Transmission Specification. If the equipment did not comply, it will contain the value of "NONE". The second information item shall contain the Capture Equipment ID which is a vendor-assigned product number of the capture equipment. A value of "0" indicates that the capture equipment ID is unreported.

6.2.7. Field 9.128: Horizontal line length (HLL)

This mandatory ASCII field shall contain the number of pixels contained on a single horizontal line of the transmitted image. The maximum horizontal size is limited to 65534 pixels.

6.2.8. Field 9.129: Vertical line length (VLL)

This mandatory ASCII field shall contain the number of horizontal lines contained in the transmitted image. The maximum vertical size is limited to 65534 pixels.

6.2.9. Field 9.130: Scale units (SLC)

This mandatory ASCII field shall specify the units used to describe the image sampling frequency (pixel density). A "1" in this field indicates pixels per inch, or a "2" indicates pixels per centimetre. A "0" in this field indicates no scale is given. In this case, the quotient of HPS/VPS gives the pixel aspect ratio.

6.2.10. Field 9.131: Horizontal pixel scale (HPS)

This mandatory ASCII field shall specify the integer pixel density used in the horizontal direction providing the SLC contains a "1" or a "2". Otherwise, it indicates the horizontal component of the pixel aspect ratio.

6.2.11. Field 9.132: Vertical pixel scale (VPS)

This mandatory ASCII field shall specify the integer pixel density used in the vertical direction providing the SLC contains a "1" or a "2". Otherwise, it indicates the vertical component of the pixel aspect ratio.

6.2.12. Field 9.133: Finger view

This mandatory field contains the view number of the finger associated with this record's data. The view number begins with "0" and increments by one to "15".

6.2.13. Field 9.134: Finger position (FGP)

This field shall contain the code designating the finger position that produced the information in this Type-9 record. A code between 1 and 10 taken from Table 5 or the appropriate palm code from Table 10 shall be used to indicate the finger or palm position.

6.2.14. Field 9.135: Finger quality

The field shall contain the quality of the overall finger minutiae data and shall be between 0 and 100. This number is an overall expression of the quality of the finger record, and represents quality of the original image, of the minutia extraction and any additional operations that may affect the minutiae record.

6.2.15. Field 9.136: number of minutiae

The mandatory field shall contain a count of the number of minutiae recorded in this logical record.

6.2.16. Field 9.137: Finger minutiae data

This mandatory field has six information items separated by the <US> character. It consists of several subfields, each containing the details of single minutiae. The total number of minutiae subfields must agree with the count found in field 136. The first information item is the minutiae index number, which shall be initialised to "1" and incremented by "1" for each additional minutia in the fingerprint. The second and third information items are the "x" coordinate and "y" coordinates of the minutiae in pixel units. The fourth information item is the minutiae angle recorded in units of two degrees. This value shall be nonnegative between 0 and 179. The fifth information item is the minutiae type. A value of "0" is used to represent minutiae of type "OTHER", a value of "1" for a ridge ending and a value of "2" for a ridge bifurcation. The sixth information item represents the quality of each minutiae. This value shall range from 1 as a minimum to 100 as a maximum. A value of "0" indicates that no quality value is available. Each subfield shall be separated from the next with the use of the <RS> separator character.

6.2.17. Field 9.138: Ridge count information

This field consists of a series of subfields each containing three information items. The first information item of the first subfield shall indicate the ridge count extraction method. A "0" indicates that no assumption shall be made about the method used to extract ridge counts, nor their order in the record. A "1" indicates that for each centre minutia, ridge count data was extracted to the nearest neighbouring minutia in four quadrants, and ridge counts for each centre minutia are listed together. A "2" indicates that for each centre minutia, ridge count data was extracted to the nearest neighbouring minutia in eight octants, and ridge counts for each centre minutia are listed together. The remaining two information items of the first subfield shall both contain "0".

Information items shall be separated by the <US> separator character. Subsequent subfields will contain the centre minutia index number as the first information item, the neighbouring minutia index number as the second information item, and the number of ridges crossed as the third information item. Subfields shall be separated by the <RS> separator character.

6.2.18. Field 9.139: Core information

This field will consist of one subfield for each core present in the original image. Each subfield consists of three information items. The first two items contain the "x" and "y" coordinate positions in pixel units. The third information item contains the angle of the core recorded in units of 2 degrees. The value shall be a nonnegative value between 0 and 179. Multiple cores will be separated by the <RS> separator character.

6.2.19. Field 9.140: Delta information

This field will consist of one subfield for each delta present in the original image. Each subfield consists of three information items. The first two items contain the "x" and "y" coordinate positions in pixel units. The third information item contains the angle of the delta recorded in units of 2 degrees. The value shall be a nonnegative value between 0 and 179. Multiple cores will be separated by the <RS> separator character.

7. Type-13 variable-resolution latent image record

The Type-13 tagged-field logical record shall contain image data acquired from latent images. These images are intended to be transmitted to agencies that will automatically extract or provide human intervention and processing to extract the desired feature information from the images.

Information regarding the scanning resolution used, the image size, and other parameters required to process the image, are recorded as tagged-fields within the record.

Table 7: Type-13 variable-resolution latent record layout

Ident	Cond. code	Field Number	Field name	Char type	Field size per occurrence		Occur count		Max byte count
					min.	max.	min	max	
LEN	M	13.001	LOGICAL RECORD LENGTH	N	4	8	1	1	15
IDC	M	13.002	IMAGE DESIGNATION CHARACTER	N	2	5	1	1	12
IMP	M	13.003	IMPRESSION TYPE	A	2	2	1	1	9
SRC	M	13.004	SOURCE AGENCY/ORI	AN	6	35	1	1	42
LCD	M	13.005	LATENT CAPTURE DATE	N	9	9	1	1	16
HLL	M	13.006	HORIZONTAL LINE LENGTH	N	4	5	1	1	12
VLL	M	13.007	VERTICAL LINE LENGTH	N	4	5	1	1	12
SLC	M	13.008	SCALE UNITS	N	2	2	1	1	9
HPS	M	13.009	HORIZONTAL PIXEL SCALE	N	2	5	1	1	12
VPS	M	13.010	VERTICAL PIXEL SCALE	N	2	5	1	1	12

Table 7: Type-13 variable-resolution latent record layout									
Ident	Cond. code	Field Number	Field name	Char type	Field size per occurrence		Occur count		Max byte count
					min.	max.	min	max	
CGA	M	13.011	COMPRESSION ALGORITHM	A	5	7	1	1	14
BPX	M	13.012	BITS PER PIXEL	N	2	3	1	1	10
FGP	M	13.013	FINGER POSITION	N	2	3	1	6	25
RSV		13.014 13.019	RESERVED FOR FUTURE DEFINITION	—	—	—	—	—	—
COM	O	13.020	COMMENT	A	2	128	0	1	135
RSV		13.021 13.199	RESERVED FOR FUTURE DEFINITION	—	—	—	—	—	—
UDF	O	13.200 13.998	USER-DEFINED FIELDS	—	—	—	—	—	—
DAT	M	13.999	IMAGE DATA	B	2	—	1	1	—

Key for character type: N = Numeric; A = Alphabetic; AN = Alphanumeric; B = Binary

7.1. Fields for the Type-13 logical record

The following paragraphs describe the data contained in each of the fields for the Type-13 logical record.

Within a Type-13 logical record, entries shall be provided in numbered fields. It is required that the first two fields of the record are ordered, and the field containing the image data shall be the last physical field in the record. For each field of the Type-13 record, Table 7 lists the "condition code" as being mandatory "M" or optional "O", the field number, the field name, character type, field size, and occurrence limits. Based on a three digit field number, the maximum byte count size for the field is given in the last column. As more digits are used for the field number, the maximum byte count will also increase. The two entries in the "field size per occurrence" include all character separators used in the field. The "maximum byte count" includes the field number, the information, and all the character separators including the "GS" character.

7.1.1. Field 13.001: Logical record length (LEN)

This mandatory ASCII field shall contain the total count of the number of bytes in the Type-13 logical record. Field 13.001 shall specify the length of the record including every character of every field contained in the record and the information separators.

7.1.2. Field 13.002: Image designation character (IDC)

This mandatory ASCII field shall be used to identify the latent image data contained in the record. This IDC shall match the IDC found in the file content (CNT) field of the Type-1 record.

7.1.3. Field 13.003: Impression type (IMP)

This mandatory one- or two-byte ASCII field shall indicate the manner by which the latent image information was obtained. The appropriate latent code choice selected from Table 4 (finger) or Table 9 (palm) shall be entered in this field.

7.1.4. Field 13.004: Source agency/ORI (SRC)

This mandatory ASCII field shall contain the identification of the administration or organisation that originally captured the facial image contained in the record. Normally, the Originating Agency Identifier (ORI) of the agency that captured the image will be contained in this field. It consists of two information items in the following format: *CC/agency*.

The first information item contains the Interpol Country Code, two alpha-numeric characters long. The second item, *agency*, is a free text identification of the agency, up to a maximum of 32 alpha-numeric characters.

7.1.5. Field 13.005: Latent capture date (LCD)

This mandatory ASCII field shall contain the date that the latent image contained in the record was captured. The date shall appear as eight digits in the format *CCYYMMDD*. The *CCYY* characters shall represent the year the image was captured; the *MM* characters shall be the tens and unit values of the month; and the *DD* characters shall be the tens and unit values of the day in the month. For example, 20000229 represents 29 February 2000. The complete date shall be a legitimate date.

7.1.6. Field 13.006: Horizontal line length (HLL)

This mandatory ASCII field shall contain the number of pixels contained on a single horizontal line of the transmitted image.

7.1.7. Field 13.007: Vertical line length (VLL)

This mandatory ASCII field shall contain the number of horizontal lines contained in the transmitted image.

7.1.8. Field 13.008: Scale units (SLC)

This mandatory ASCII field shall specify the units used to describe the image sampling frequency (pixel density). A "1" in this field indicates pixels per inch, or a "2" indicates pixels per centimetre. A "0" in this field indicates no scale is given. In this case, the quotient of HPS/VPS gives the pixel aspect ratio.

7.1.9. Field 13.009: Horizontal pixel scale (HPS)

This mandatory ASCII field shall specify the integer pixel density used in the horizontal direction providing the SLC contains a "1" or a "2". Otherwise, it indicates the horizontal component of the pixel aspect ratio.

7.1.10. Field 13.010: Vertical pixel scale (VPS)

This mandatory ASCII field shall specify the integer pixel density used in the vertical direction providing the SLC contains a "1" or a "2". Otherwise, it indicates the vertical component of the pixel aspect ratio.

7.1.11. Field 13.011: Compression algorithm (CGA)

This mandatory ASCII field shall specify the algorithm used to compress greyscale images. See Appendix 39-7 for the compression codes.

7.1.12. Field 13.012: Bits per pixel (BPX)

This mandatory ASCII field shall contain the number of bits used to represent a pixel. This field shall contain an entry of "8" for normal greyscale values of "0" to "255". Any entry in this field greater than "8" shall represent a greyscale pixel with increased precision.

7.1.13. Field 13.013: Finger/palm position (FGP)

This mandatory tagged-field shall contain one or more of the possible finger or palm positions that may match the latent image. The decimal code number corresponding to the known or most probable finger position shall be taken from Table 5 or the most probable palm position from Table 10 and entered as a one- or two-character ASCII subfield. Additional finger and/or palm positions may be referenced by entering the alternate position codes as subfields separated by the "RS" separator character. The code "0", for "Unknown Finger", shall be used to reference every finger position from one through ten. The code "20", for "Unknown Palm", shall be used to reference every listed palmprint position.

7.1.14. Field 13.014-019: Reserved for future definition (RSV)

These fields are reserved for inclusion in future revisions of this standard. None of these fields are to be used at this revision level. If any of these fields are present, they are to be ignored.

7.1.15. Field 13.020: Comment (COM)

This optional field may be used to insert comments or other ASCII text information with the latent image data.

7.1.16. Field 13.021-199: Reserved for future definition (RSV)

These fields are reserved for inclusion in future revisions of this standard. None of these fields are to be used at this revision level. If any of these fields are present, they are to be ignored.

7.1.17. Fields 13.200-998: User-defined fields (UDF)

These fields are user-definable fields and will be used for future requirements. Their size and content shall be defined by the user and be in accordance with the receiving agency. If present they shall contain ASCII textual information.

7.1.18. Field 13.999: Image data (DAT)

This field shall contain all data from a captured latent image. It shall always be assigned field number 999 and shall be the last physical field in the record. For example, "13.999:" is followed by image data in a binary representation.

Each pixel of uncompressed greyscale data shall normally be quantised to eight bits (256 grey levels) contained in a single byte. If the entry in BPX Field 13.012 is greater or less than "8", the number of bytes required to contain a pixel will be different. If compression is used, the pixel data shall be compressed in accordance with the compression technique specified in the GCA field.

7.2. End of Type-13 variable-resolution latent image record

For the sake of consistency, immediately following the last byte of data from Field 13.999 an "FS" separator shall be used to separate it from the next logical record. This separator shall be included in the length field of the Type-13 record.

8. Type-15 variable-resolution palmprint image record

The Type-15 tagged-field logical record shall contain and be used to exchange palmprint image data together with fixed and user-defined textual information fields pertinent to the digitised image. Information regarding the scanning resolution used, the image size and other parameters or comments required to process the image are recorded as tagged-fields within the record. Palmprint images transmitted to other agencies will be processed by the recipient agencies to extract the desired feature information required for matching purposes.

The image data shall be acquired directly from a subject using a live-scan device, or from a palmprint card or other media that contains the subject's palmprints.

Any method used to acquire the palmprint images shall be capable of capturing a set of images for each hand. This set shall include the writer's palm as a single scanned image, and the entire area of the full palm extending from the wrist bracelet to the tips of the fingers as one or two scanned images. If two images are used to represent the full palm, the lower image shall extend from the wrist bracelet to the top of the interdigital area (third finger joint) and shall include the thenar, and hypothenar areas of the palm. The upper image shall extend from the bottom of the interdigital area to the upper tips of the fingers. This provides an adequate amount of overlap between the two images that are both located over the interdigital area of the palm. By matching the ridge structure and details contained in this common area, an examiner can confidently state that both images came from the same palm.

As a palmprint transaction may be used for different purposes, it may contain one or more unique image areas recorded from the palm or hand. A complete palmprint record set for one individual will normally include the writer's palm and the full palm image(s) from each hand. Since a tagged-field logical image record may contain only one binary field, a single Type-15 record will be required for each writer's palm and one or two Type-15 records for each full palm. Therefore, four to six Type-15 records will be required to represent the subject's palmprints in a normal palmprint transaction.

8.1. Fields for the Type-15 logical record

The following paragraphs describe the data contained in each of the fields for the Type-15 logical record.

Within a Type-15 logical record, entries shall be provided in numbered fields. It is required that the first two fields of the record are ordered, and the field containing the image data shall be the last physical field in the record. For each field of the Type-15 record, Table 8 lists the "condition code" as being mandatory "M" or optional "O", the field number, the field name, character type, field size, and occurrence limits. Based on a three digit field number, the maximum byte count size for the field is given in the last column. As more digits are used for the field number, the maximum byte count will also increase. The two entries in the "field size per occurrence" include all character separators used in the field. The "maximum byte count" includes the field number, the information, and all the character separators including the "GS" character.

8.1.1. Field 15.001: Logical record length (LEN)

This mandatory ASCII field shall contain the total count of the number of bytes in the Type-15 logical record. Field 15.001 shall specify the length of the record including every character of every field contained in the record and the information separators.

8.1.2. Field 15.002: Image designation character (IDC)

This mandatory ASCII field shall be used to identify the palmprint image contained in the record. This IDC shall match the IDC found in the file content (CNT) field of the Type-1 record.

8.1.3. Field 15.003: Impression type (IMP)

This mandatory one-byte ASCII field shall indicate the manner by which the palmprint image information was obtained. The appropriate code selected from Table 9 shall be entered in this field.

8.1.4. Field 15.004: Source agency/ORI (SRC)

This mandatory ASCII field shall contain the identification of the administration or organisation that originally captured the facial image contained in the record. Normally, the Originating Agency Identifier (ORI) of the agency that captured the image will be contained in this field. It consists of two information items in the following format: *CC/agency*.

The first information item contains the Interpol Country Code, two alpha-numeric characters long. The second item, *agency*, is a free text identification of the agency, up to a maximum of 32 alpha-numeric characters.

8.1.5. Field 15.005: Palmprint capture date (PCD)

This mandatory ASCII field shall contain the date that the palmprint image was captured. The date shall appear as eight digits in the format *CCYYMMDD*. The *CCYY* characters shall represent the year the image was captured; the *MM* characters shall be the tens and unit values of the month; and the *DD* characters shall be the tens and units values of the day in the month. For example, the entry *20000229* represents 29 February 2000. The complete date shall be a legitimate date.

8.1.6. Field 15.006: Horizontal line length (HLL)

This mandatory ASCII field shall contain the number of pixels contained on a single horizontal line of the transmitted image.

8.1.7. Field 15.007: Vertical line length (VLL)

This mandatory ASCII field shall contain the number of horizontal lines contained in the transmitted image.

8.1.8. Field 15.008: Scale units (SLC)

This mandatory ASCII field shall specify the units used to describe the image sampling frequency (pixel density). A "1" in this field indicates pixels per inch, or a "2" indicates pixels per centimetre. A "0" in this field indicates no scale is given. In this case, the quotient of HPS/VPS gives the pixel aspect ratio.

8.1.9. Field 15.009: Horizontal pixel scale (HPS)

This mandatory ASCII field shall specify the integer pixel density used in the horizontal direction providing the SLC contains a "1" or a "2". Other-wise, it indicates the horizontal component of the pixel aspect ratio.

8.1.10. Field 15.010: Vertical pixel scale (VPS)

This mandatory ASCII field shall specify the integer pixel density used in the vertical direction providing the SLC contains a "1" or a "2". Otherwise, it indicates the vertical component of the pixel aspect ratio.

Table 8: Type-15 variable-resolution palmprint record layout

Ident	Cond. code	Field number	Field name	Char type	Field size per occurrence		Occur count		Max byte count
					min.	max.	min	max	
LEN	M	15.001	LOGICAL RECORD LENGTH	N	4	8	1	1	15
IDC	M	15.002	IMAGE DESIGNATION CHARACTER	N	2	5	1	1	12
IMP	M	15.003	IMPRESSION TYPE	N	2	2	1	1	9
SRC	M	15.004	SOURCE AGENCY/ORI	AN	6	35	1	1	42
PCD	M	15.005	PALMPRINT CAPTURE DATE	N	9	9	1	1	16
HLL	M	15.006	HORIZONTAL LINE LENGTH	N	4	5	1	1	12
VLL	M	15.007	VERTICAL LINE LENGTH	N	4	5	1	1	12
SLC	M	15.008	SCALE UNITS	N	2	2	1	1	9
HPS	M	15.009	HORIZONTAL PIXEL SCALE	N	2	5	1	1	12
VPS	M	15.010	VERTICAL PIXEL SCALE	N	2	5	1	1	12
CGA	M	15.011	COMPRESSION ALGORITHM	AN	5	7	1	1	14

Table 8: Type-15 variable-resolution palmprint record layout									
Ident	Cond. code	Field number	Field name	Char type	Field size per occurrence		Occur count		Max byte count
					min.	max.	min	max	
BPX	M	15.012	BITS PER PIXEL	N	2	3	1	1	10
PLP	M	15.013	PALMPRINT POSITION	N	2	3	1	1	10
RSV		15.014 15.019	RESERVED FOR FUTURE INCLUSION	—	—	—	—	—	—
COM	O	15.020	COMMENT	AN	2	128	0	1	128
RSV		15.021 15.199	RESERVED FOR FUTURE INCLUSION	—	—	—	—	—	—
UDF	O	15.200 15.998	USER-DEFINED FIELDS	—	—	—	—	—	—
DAT	M	15.999	IMAGE DATA	B	2	—	1	1	—

Table 9: Palm Impression Type	
Description	Code
Live-scan palm	10
Nonlive-scan palm	11
Latent palm impression	12
Latent palm tracing	13
Latent palm photo	14
Latent palm lift	15

8.1.11. Field 15.011: Compression algorithm (CGA)

This mandatory ASCII field shall specify the algorithm used to compress greyscale images. An entry of "NONE" in this field indicates that the data contained in this record are uncompressed. For those images that are to be compressed, this field shall contain the preferred method for the compression of tenprint fingerprint images. Valid compression codes are defined in Appendix 39-7.

8.1.12. Field 15.012: Bits per pixel (BPX)

This mandatory ASCII field shall contain the number of bits used to represent a pixel. This field shall contain an entry of "8" for normal greyscale values of "0" to "255". Any entry in this field greater than or less than "8" shall represent a greyscale pixel with increased or decreased precision respectively.

Table 10: Palm Codes, Areas and Sizes

Palm Position	Palm code	Image area (mm ²)	Width (mm)	Height (mm)
Unknown Palm	20	28387	139,7	203,2
Right Full Palm	21	28387	139,7	203,2
Right Writer s Palm	22	5645	44,5	127,0
Left Full Palm	23	28387	139,7	203,2
Left Writer s Palm	24	5645	44,5	127,0
Right Lower Palm	25	19516	139,7	139,7
Right Upper Palm	26	19516	139,7	139,7
Left Lower Palm	27	19516	139,7	139,7
Left Upper Palm	28	19516	139,7	139,7
Right Other	29	28387	139,7	203,2
Left Other	30	28387	139,7	203,2

8.1.13. Field 15.013: Palmprint position (PLP)

This mandatory tagged-field shall contain the palmprint position that matches the palmprint image. The decimal code number corresponding to the known or most probable palmprint position shall be taken from Table 10 and entered as a two-character ASCII subfield. Table 10 also lists the maximum image areas and dimensions for each of the possible palmprint positions.

8.1.14. Field 15.014-019: Reserved for future definition (RSV)

These fields are reserved for inclusion in future revisions of this standard. None of these fields are to be used at this revision level. If any of these fields are present, they are to be ignored.

8.1.15. Field 15.020: Comment (COM)

This optional field may be used to insert comments or other ASCII text information with the palmprint image data.

8.1.16. Field 15.021-199: Reserved for future definition (RSV)

These fields are reserved for inclusion in future revisions of this standard. None of these fields are to be used at this revision level. If any of these fields are present, they are to be ignored.

8.1.17. Fields 15.200-998: User-defined fields (UDF)

These fields are user-definable fields and will be used for future requirements. Their size and content shall be defined by the user and be in accordance with the receiving agency. If present, they shall contain ASCII textual information.

8.1.18. Field 15.999: Image data (DAT)

This field shall contain all of the data from a captured palmprint image. It shall always be assigned field number 999 and shall be the last physical field in the record. For example, "15.999:" is followed by image data in a binary representation. Each pixel of uncompressed greyscale data shall normally be quantised to eight bits (256 grey levels) contained in a single byte. If the entry in BPX Field 15.012 is greater or less than 8, the number of bytes required to contain a pixel will be different. If compression is used, the pixel data shall be compressed in accordance with the compression technique specified in the CGA field.

8.2. End of Type-15 variable-resolution palmprint image record

For the sake of consistency, immediately following the last byte of data from Field 15.999 an "FS" separator shall be used to separate it from the next logical record. This separator shall be included in the length field of the Type-15 record.

8.3. Additional Type-15 variable-resolution palmprint image records

Additional Type-15 records may be included in the file. For each additional palmprint image, a complete Type-15 logical record together with the "FS" separator is required.

Type of AFIS Search	TP/TP	LT/TP	LP/PP	TP/UL	LT/UL	PP/ULP	LP/ULP
Maximum Number of Candidates	1	10	5	5	5	5	5

Search types:

TP/TP: ten-print against ten-print

LT/TP: fingerprint latent against ten-print

LP/PP: palmprint latent against palmprint

TP/UL: ten-print against unsolved fingerprint latent

LT/UL: fingerprint latent against unsolved fingerprint latent

PP/ULP: palmprint against unsolved palmprint latent

LP/ULP: palmprint latent against unsolved palmprint latent

9. Appendices to Chapter 2 (exchange of dactyloscopic data)

9.1. Appendix 39-1: ASCII Separator Codes

ASCII	Position ¹	Description
LF	1/10	Separates error codes in Field 2.074
FS	1/12	Separates logical records of a file
GS	1/13	Separates fields of a logical record
RS	1/14	Separates the subfields of a record field
US	1/15	Separates individual information items of the field or subfield

¹ This is the position as defined in the ASCII standard.

9.2. Appendix 39-2: Calculation of Alpha-Numeric Check Character

For TCN and TCR (Fields 1.09 and 1.10):

The number corresponding to the check character is generated using the following formula:

$$(YY * 10^8 + SSSSSSSS) \text{ Modulo } 23$$

Where YY and SSSSSSSS are the numerical values of the last two digits of the year and the serial number respectively.

The check character is then generated from the look-up table given below.

For CRO (Field 2.010)

The number corresponding to the check character is generated using the following formula:

$$(YY * 10^6 + NNNNNN) \text{ Modulo } 23$$

Where YY and NNNNNN are the numerical values of the last two digits of the year and the serial number respectively.

The check character is then generated from the look-up table given below.

Check Character Look-up Table		
1-A	9-J	17-T
2-B	10-K	18-U
3-C	11-L	19-V
4-D	12-M	20-W
5-E	13-N	21-X
6-F	14-P	22-Y
7-G	15-Q	0-Z
8-H	16-R	

9.3. Appendix 39-3: Character Codes

7-bit ANSI code for information interchange										
ASCII Character Set										
+	0	1	2	3	4	5	6	7	8	9
30				!	'	#	\$	%	&	'
40	()	*	+	,	-	.	/	0	1
50	2	3	4	5	6	7	8	9	:	;
60	<	=	>	?	@	A	B	C	D	E
70	F	G	H	I	J	K	L	M	N	O
80	P	Q	R	S	T	U	V	W	X	Y
90	Z	[\]	^	_	`	a	b	c
100	d	e	f	g	h	i	j	k	l	m
110	n	o	p	q	r	s	t	u	v	w
120	x	y	z	{{		}}	~			

9.4. Appendix 39-4: Transaction Summary

Type 1 Record (mandatory)					
Identifier	Field number	Field name	CPS/PMS	SRE	ERR
LEN	1.001	Logical Record Length	M	M	M
VER	1.002	Version Number	M	M	M
CNT	1.003	File Content	M	M	M
TOT	1.004	Type of Transaction	M	M	M
DAT	1.005	Date	M	M	M
PRY	1.006	Priority	M	M	M
DAI	1.007	Destination Agency	M	M	M
ORI	1.008	Originating Agency	M	M	M
TCN	1.009	Transaction Control Number	M	M	M
TCR	1.010	Transaction Control Reference	C	M	M
NSR	1.011	Native Scanning Resolution	M	M	M
NTR	1.012	Nominal Transmitting Resolution	M	M	M
DOM	1.013	Domain name	M	M	M
GMT	1.014	Greenwich mean time	M	M	M

Under the Condition Column:

O = Optional; M = Mandatory; C = Conditional if transaction is a response to the origin agency

Type 2 Record (mandatory)						
Identifier	Field number	Field name	CPS/PMS	MPS/MMS	SRE	ERR
LEN	2.001	Logical Record Length	M	M	M	M
IDC	2.002	Image Designation Character	M	M	M	M
SYS	2.003	System Information	M	M	M	M
CNO	2.007	Case Number	—	M	C	—
SQN	2.008	Sequence Number	—	C	C	—
MID	2.009	Latent Identifier	—	C	C	—
CRN	2.010	Criminal Reference Number	M	—	C	—
MN1	2.012	Miscellaneous Identification Number	—	—	C	C
MN2	2.013	Miscellaneous Identification Number	—	—	C	C
MN3	2.014	Miscellaneous Identification Number	—	—	C	C
MN4	2.015	Miscellaneous Identification Number	—	—	C	C
INF	2.063	Additional Information	O	O	O	O
RLS	2.064	Respondents List	—	—	M	—
ERM	2.074	Status/Error Message Field	—	—	—	M
ENC	2.320	Expected Number of Candidates	M	M	—	—

Under the Condition Column:

O = Optional; M = Mandatory; C = Conditional if data is available

*	=	if the transmission of the data is in accordance with domestic law (not covered by Articles 533 and 534 of this Agreement)
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9.5. Appendix 39-5: Type-1 Record Definitions

Identifier	Condition	Field number	Field name	Character type	Example data
LEN	M	1.001	Logical Record Length	N	1.001:230{{GS}}
VER	M	1.002	Version Number	N	1.002:0300{{GS}}
CNT	M	1.003	File Content	N	1.003:1{{US}}15{{RS}}2 {{US}}00{{RS}}4{{US}}01{{RS}}4{{US}}02{{RS}}4{{US}}03{{RS}}4{{US}}04{{RS}}4{{US}}05{{RS}}4{{US}}06{{RS}}4{{US}}07{{RS}}4{{US}}08{{RS}}4{{US}}09{{RS}}4{{US}}10{{RS}}4{{US}}11{{RS}}4{{US}}12{{RS}}4{{US}}13{{RS}}4{{US}}14{{GS}}
TOT	M	1.004	Type of Transaction	A	1.004:CPS{{GS}}

Identifier	Condition	Field number	Field name	Character type	Example data
DAT	M	1.005	Date	N	1.005:20050101 {{GS}}
PRY	M	1.006	Priority	N	1.006:4 {{GS}}
DAI	M	1.007	Destination Agency	1*	1.007:DE/BKA {{GS}}
ORI	M	1.008	Originating Agency	1*	1.008:NL/NAFIS {{GS}}
TCN	M	1.009	Transaction Control Number	AN	1.009:0200000004F {{GS}}
TCR	C	1.010	Transaction Control Reference	AN	1.010:0200000004F {{GS}}
NSR	M	1.011	Native Scanning Resolution	AN	1.011:19.68 {{GS}}
NTR	M	1.012	Nominal Transmitting Resolution	AN	1.012:19,68 {{GS}}
DOM	M	1.013	Domain Name	AN	1.013: INT-I {{US}}4,22 {{GS}}
GMT	M	1.014	Greenwich Mean Time	AN	1.014:20050101125959Z

Under the Condition Column: O = Optional, M = Mandatory, C = Conditional

Under the Character Type Column: A = Alpha, N = Numeric, B = Binary

1* allowed characters for agency name are ["0..9", "A..Z", "a..z", "_", ".", " ", "-"]

9.6. Appendix 39-6: Type-2 Record Definitions

Table A.6.1: CPS- and PMS-Transaction					
Identifier	Condition	Field number	Field name	Character type	Example data
LEN	M	2.001	Logical Record Length	N	2.001:909{{GS}}
IDC	M	2.002	Image Designation Character	N	2.002:00{{GS}}
SYS	M	2.003	System Information	N	2.003:0422{{GS}}
CRN	M	2.010	Criminal Reference Number	AN	2.010:DE/E999999999{{GS}}
INF	O	2.063	Additional Information	1*	2.063:Additional Information 123{{GS}}
ENC	M	2.320	Expected Number of Candidates	N	2.320:1{{GS}}

Table A.6.2: SRE-Transaction					
Identifier	Condition	Field number	Field name	Character type	Example data
LEN	M	2.001	Logical Record Length	N	2.001:909 {} {GS}}
IDC	M	2.002	Image Designation Character	N	2.002:00 {} {GS}}
SYS	M	2.003	System Information	N	2.003:0422 {} {GS}}
CRN	C	2.010	Criminal Reference Number	AN	2.010:NL/2222222222 {} {GS}}
MN1	C	2.012	Miscellaneous Identification Number	AN	2.012:E999999999 {} {GS}}
MN2	C	2.013	Miscellaneous Identification Number	AN	2.013:E999999999 {} {GS}}
MN3	C	2.014	Miscellaneous Identification Number	N	2.014:0001 {} {GS}}
MN4	C	2.015	Miscellaneous Identification Number	A	2.015:A {} {GS}}
INF	O	2.063	Additional Information	1*	2.063:Additional Information 123 {} {GS}}
RLS	M	2.064	Respondents List	AN	2.064:CPS {} {RS}}I {} {RS}}00 1/001 {} {RS}}999999 {} {GS}}

Table A.6.3: ERR-Transaction					
Identifier	Condition	Field number	Field name	Character type	Example data
LEN	M	2.001	Logical Record Length	N	2.001:909 {} {GS}}
IDC	M	2.002	Image Designation Character	N	2.002:00 {} {GS}}
SYS	M	2.003	System Information	N	2.003:0422 {} {GS}}
MN1	M	2.012	Miscellaneous Identification Number	AN	2.012:E999999999 {} {GS}}
MN2	C	2.013	Miscellaneous Identification Number	AN	2.013:E999999999 {} {GS}}
MN3	C	2.014	Miscellaneous Identification Number	N	2.014:0001 {} {GS}}
MN4	C	2.015	Miscellaneous Identification Number	A	2.015:A {} {GS}}
INF	O	2.063	Additional Information	1*	2.063:Additional Information 123 {} {GS}}
ERM	M	2.074	Status/Error Message Field	AN	2.074: 201: IDC - 1 FIELD 1.009 WRONG CONTROL CHARACTER {} {LF}} 115: IDC 0 FIELD 2.003 INVALID SYSTEM INFORMATION {} {GS}}

Table A.6.4: MPS- and MMS-Transaction					
Identifier	Condition	Field number	Field name	Character type	Example data
LEN	M	2.001	Logical Record Length	N	2.001:909 {{GS}}
IDC	M	2.002	Image Designation Character	N	2.002:00 {{GS}}
SYS	M	2.003	System Information	N	2.003:0422 {{GS}}
CNO	M	2.007	Case Number	AN	2.007:E999999999 {{GS}}
SQN	C	2.008	Sequence Number	N	2.008:0001 {{GS}}
MID	C	2.009	Latent Identifier	A	2.009:A {{GS}}
INF	O	2.063	Additional Information	1*	2.063:Additional Information 123 {{GS}}
ENC	M	2.320	Expected Number of Candidates	N	2.320:1 {{GS}}

Under the Condition Column: O = Optional, M = Mandatory, C = Conditional

Under the Character Type Column: A = Alpha, N = Numeric, B = Binary

1* allowed characters are ["0..9", "A..Z", "a..z", "_", ".", " ", "-", ","]

9.7. Appendix 39-7: Greyscale Compression Codes

Compression Codes

Compression	Value	Remarks
Wavelet Scalar Quantisation Greyscale Fingerprint Image Compression Specification IAFIS-IC-0010(V3), dated 19 December 1997	WSQ	Algorithm to be used for the compression of greyscale images in Type-4, Type-7 and Type-13 to Type-15 records. Shall not be used for resolutions > 500 dpi.
JPEG 2000 [ISO 15444/ITU T.800]	J2K	To be used for lossy and losslessly compression of greyscale images in Type-13 to Type-15 records. Strongly recommended for resolutions > 500 dpi

9.8. Appendix 39-8: Mail specification

To improve the internal workflow the mail subject of a PRUEM transaction has to be filled with the country code (CC) of the State that send the message and the Type of Transaction (TOT Field 1.004).

Format: CC/type of transaction

Example: "DE/CPS"

The mail body can be empty.

CHAPTER 3

EXCHANGE OF VEHICLE REGISTRATION DATA

1. Common data-set for automated search of vehicle registration data

1.1. Definitions

The definitions of mandatory and optional data elements set out in Article 14(4) of Chapter 0 are as follows:

Mandatory (M):

The data element has to be communicated when the information is available in a State's national register. Therefore there is an obligation to exchange the information when available.

Optional (O):

The data element may be communicated when the information is available in a State's national register. Therefore there is no obligation to exchange the information even when the information is available.

An indication (Y) is given for each element in the data set where the element is specifically identified as important in relation with Article 537 of this Agreement.

1.2. Vehicle/owner/holder search

1.2.1. Triggers for the search

There are two different ways to search for the information as defined in the next paragraph:

- by Chassis Number (VIN), Reference Date and Time (optional),
- by License Plate Number, Chassis Number (VIN) (optional), Reference Date and Time (optional).

By means of these search criteria, information related to one and sometimes more vehicles will be returned. If information for only one vehicle has to be returned, all the items are returned in one response. If more than one vehicle is found, the requested State itself can determine which items will be returned; all items or only the items to refine the search (e.g. because of privacy reasons or because of performance reasons).

The items necessary to refine the search are pictured in paragraph 1.2.2.1. In paragraph 1.2.2.2 the complete information set is described.

When the search is done by Chassis Number, Reference Date and Time, the search can be done in one or all of the participating States.

When the search is done by License Number, Reference Data and Time, the search has to be done in one specific State.

Normally the actual Date and Time is used to make a search, but it is possible to conduct a search with a Reference Date and Time in the past. When a search is made with a Reference Date and Time in the past and historical information is not available in the register of the specific State because no such information is registered at all, the actual information can be returned with an indication that the information is actual information.

1.2.2. Data set

1.2.2.1. Items to be returned necessary for the refinement of the search

Item	M/O ¹	Remarks	Prüm Y/N ²
Data relating to vehicles			
Licence number	M		Y
Chassis number/VIN	M		Y
Country of registration	M		Y
Make	M	(D.1 ³) e.g. Ford, Opel, Renault, etc.	Y
Commercial type of the vehicle	M	(D.3) e.g. Focus, Astra, Megane	Y
EU Category Code	M	(J) mopeds, motorbikes, cars, etc.	Y

¹ M = mandatory when available in national register, O = optional.

² All the attributes specifically allocated by the States are indicated with Y.

³ Harmonised document abbreviation, see Council Directive 1999/37/EC of 29 April 1999.

1.2.2.2. Complete data set

Item	M/O ¹	Remarks	Prüm Y/N
Data relating to holders of the vehicle		(C.1 ²) The data refer to the holder of the specific registration certificate.	
Registration holders' (company) name	M	(C.1.1.) separate fields will be used for surname, infixes, titles, etc., and the name in printable format will be communicated	Y
First name	M	(C.1.2) separate fields for first name(s) and initials will be used, and the name in printable format will be communicated	Y
Address	M	(C.1.3) separate fields will be used for Street, House number and Annex, Zip code, Place of residence, Country of residence, etc., and the Address in printable format will be communicated	Y
Gender	M	Male, female	Y
Date of birth	M		Y
Legal entity	M	individual, association, company, firm, etc.	Y

¹ M = mandatory when available in national register, O = optional.

² Harmonised document abbreviation, see Council Directive 1999/37/EC of 29 April 1999.

Item	M/O ¹	Remarks	Prüm Y/N
Place of Birth	O		Y
ID Number	O	An identifier that uniquely identifies the person or the company.	N
Type of ID Number	O	The type of ID Number (e.g. passport number).	N
Start date holdership	O	Start date of the holdership of the car. This date will often be the same as printed under (I) on the registration certificate of the vehicle.	N
End date holdership	O	End data of the holdership of the car.	N
Type of holder	O	If there is no owner of the vehicle (C.2) the reference to the fact that the holder of the registration certificate: <ul style="list-style-type: none"> – is the vehicle owner, – is not the vehicle owner, – is not identified by the registration certificate as being the vehicle owner. 	N
Data relating to owners of the vehicle		(C.2)	
Owners' (company) name	M	(C.2.1)	Y
First name	M	(C.2.2)	Y
Address	M	(C.2.3)	Y
Gender	M	male, female	Y
Date of birth	M		Y

Item	M/O ¹	Remarks	Prüm Y/N
Legal entity	M	individual, association, company, firm, etc.	Y
Place of Birth	O		Y
ID Number	O	An identifier that uniquely identifies the person or the company.	N
Type of ID Number	O	The type of ID Number (e.g. passport number).	N
Start date ownership	O	Start date of the ownership of the car.	N
End date ownership	O	End data of the ownership of the car.	N
Data relating to vehicles			
Licence number	M		Y
Chassis number/VIN	M		Y
Country of registration	M		Y
Make	M	(D.1) e.g. Ford, Opel, Renault, etc.	Y
Commercial type of the vehicle	M	(D.3) e.g. Focus, Astra, Megane.	Y
Nature of the vehicle/EU Category Code	M	(J) mopeds, motorbikes, cars, etc.	Y
Date of first registration	M	(B) Date of first registration of the vehicle somewhere in the world.	Y
Start date (actual) registration	M	(I) Date of the registration to which the specific certificate of the vehicle refers.	Y

Item	M/O ¹	Remarks	Prüm Y/N
End date registration	M	End data of the registration to which the specific certificate of the vehicle refers. It is possible this date indicates the period of validity as printed on the document if not unlimited (document abbreviation = H).	Y
Status	M	Scrapped, stolen, exported, etc.	Y
Start date status	M		Y
End date status	O		N
kW	O	(P.2)	Y
Capacity	O	(P.1)	Y
Type of licence number	O	Regular, transito, etc.	Y
Vehicle document id 1	O	The first unique document ID as printed on the vehicle document.	Y
Vehicle document id 2 ¹	O	A second document ID as printed on the vehicle document.	Y
Data relating to insurances			
Insurance company name	O		Y
Begin date insurance	O		Y
End date insurance	O		Y
Address	O		Y
Insurance number	O		Y
ID number	O	An identifier that uniquely identifies the company.	N
Type of ID number	O	The type of ID number (e.g. number of the Chamber of Commerce)	N

¹ In Luxembourg two separate vehicle registration document ID's are used.

2. Data Security

2.1. Overview

The Eucaris software application handles secure communication to the other States and communicates to the back-end legacy systems of States using XML. States exchange messages by directly sending them to the recipient. The data centre of a State is connected to the TESTA network.

The XML-messages sent over the network are encrypted. The technique to encrypt these messages is SSL. The messages sent to the back-end are plain text XML-messages since the connection between the application and the back-end shall be in a protected environment.

A client application is provided which can be used within a State to query their own register or other States' registers. The clients will be identified by means of user-id/password or a client certificate. The connection to a user may be encrypted, but this is the responsibility of each individual State.

2.2. Security Features related to message exchange

The security design is based on a combination of HTTPS and XML signature. This alternative uses XML-signature to sign all messages sent so the server can authenticate the sender of the message by checking the signature. 1-sided SSL (only a server certificate) is used to protect the confidentiality and integrity of the message in transit and provides protection against deletion/replay and insertion attacks. Instead of bespoke software development to implement 2-sided SSL, XML-signature is implemented. Using XML-signature is closer to the web services roadmap than 2-sided SSL and therefore more strategic.

The XML-signature can be implemented in several ways but the chosen approach is to use XML Signature as part of the Web Services Security (WSS). WSS specifies how to use XML-signature. Since WSS builds upon the SOAP standard, it is logical to adhere to the SOAP standard as much as possible.

2.3. Security features not related to message exchange

2.3.1. Authentication of users

The users of the Eucaris web application authenticate themselves using a username and password. Since standard Windows authentication is used, States can enhance the level of authentication of users if needed by using client certificates.

2.3.2. User roles

The Eucaris software application supports different user roles. Each cluster of services has its own authorisation. E.g. (exclusive) users of the "'Treaty of Eucaris' — functionality" may not use the "'Prüm' — functionality". Administrator services are separated from the regular end-user roles.

2.3.3. Logging and tracing of message exchange

Logging of all message types is facilitated by the Eucaris software application. An administrator function allows the national administrator to determine which messages are logged: requests from end-users, incoming requests from other States, provided information from the national registers, etc.

The application can be configured to use an internal database for this logging, or an external (Oracle) database. The decision on what messages have to be logged clearly depends on logging facilities elsewhere in the legacy systems and connected client applications.

The header of each message contains information on the requesting State, the requesting organisation within that State and the user involved. Also the reason of the request is indicated.

By means of the combined logging in the requesting and responding State complete tracing of any message exchange is possible (e.g. on request of a citizen involved).

Logging is configured through the Eucaris web client (menu Administration, Logging configuration). The logging functionality is performed by the Core System. When logging is enabled, the complete message (header and body) is stored in one logging record. Per defined service, and per message type that passes along the Core System, the logging level can be set.

Logging Levels

The following logging levels are possible:

Private — Message is logged: The logging is NOT available to the extract logging service but is available on a national level only, for audits and problem solving.

None — Message is not logged at all.

Message Types

Information exchange between States consists of several messages, of which a schematic representation is given in Figure 5 below.

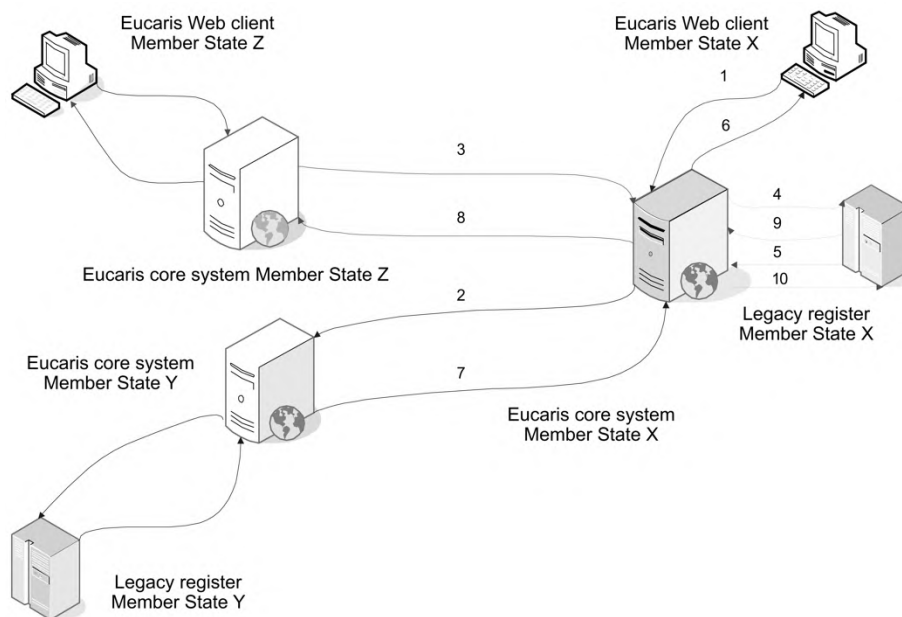
The possible message types (in Figure 5 shown for the Eucaris Core System of State X) are the following:

1. Request to Core System_Request message by Client;
2. Request to Other State_Request message by Core System of this State;
3. Request to Core System of this State_Request message by Core System of other State;
4. Request to Legacy Register_Request message by Core System;
5. Request to Core System_Request message by Legacy Register;
6. Response from Core System_Request message by Client;
7. Response from Other State_Request message by Core System of this State;
8. Response from Core System of this State_Request message by other State;
9. Response from Legacy Register_Request message by Core System;
10. Response from Core System_Request message by Legacy Register.

The following information exchanges are shown in Figure 5:

- Information request from State X to State Y — blue arrows. This request and response consists of message types 1, 2, 7 and 6, respectively,
- Information request from State Z to State X — red arrows. This request and response consists of message types 3, 4, 9 and 8, respectively,
- Information request from the legacy register to its core system (this route also includes a request from a custom client behind the legacy register) — green arrows. This kind of request consists of message types 5 and 10.

Figure 5: Message types for logging



2.3.4. Hardware Security Module

A Hardware Security Module is not used.

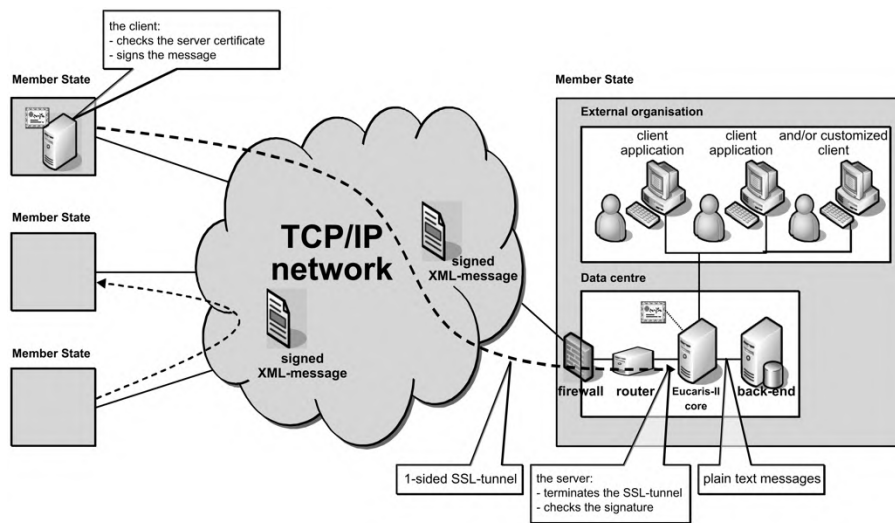
A Hardware Security Module (HSM) provides good protection for the key used to sign messages and to identify servers. This adds to the overall level of security but an HSM is expensive to buy/maintain and there are no requirements to decide for a FIPS 140-2 level 2 or level 3 HSM. Since a closed network is used that mitigates threats effectively, it is decided not to use an HSM initially. If an HSM is necessary e.g. to obtain accreditation, it can be added to the architecture.

3. Technical conditions of the data exchange

3.1. General description of the Eucaris application

3.1.1. Overview

The Eucaris application connects all participating States in a mesh network where each State communicates directly to another State. There is no central component needed for the communication to be established. The Eucaris application handles secure communication to the other States and communicates to the back-end legacy systems of States using XML. The following picture visualises this architecture.



States exchange messages by directly sending them to the recipient. The data centre of a State is connected to the network used for the message exchange (TESTA). To access the TESTA network, States connect to TESTA via their national gate. A firewall shall be used to connect to the network and a router connects the Eucaris application to the firewall. Depending on the alternative chosen to protect the messages, a certificate is used either by the router or by the Eucaris application.

A client application is provided which can be used within a State to query its own register or other States' registers. The client application connects to Eucaris. The clients will be identified by means of user-id/password or a client certificate. The connection to a user in an external organisation (e.g. police) may be encrypted but this is the responsibility of each individual State.

3.1.2. Scope of the system

The scope of the Eucaris system is limited to the processes involved in the exchange of information between the Registration Authorities in the States and a basic presentation of this information.

Procedures and automated processes in which the information is to be used, are outside the scope of the system.

States can choose either to use the Eucaris client functionality or to set up their own customised client application. The table below describes which aspects of the Eucaris system are mandatory to use and/or prescribed and which are optional to use and/or free to determine by the States.

Eucaris aspects	M/O ¹	Remark
Network concept	M	The concept is an "any-to-any" communication.
Physical network	M	TESTA
Core application	M	The core application of Eucaris has to be used to connect to the other States. The following functionality is offered by the core: <ul style="list-style-type: none">– Encrypting and signing of the messages;– Checking of the identity of the sender;– Authorisation of States and local users;– Routing of messages;– Queuing of asynchronous messages if the recipient service is temporally unavailable;– Multiple country inquiry functionality;– Logging of the exchange of messages;– Storage of incoming messages

¹ M = mandatory to use or to comply with O = optional to use or to comply with.

Eucaris aspects	M/O ¹	Remark
Client application	O	In addition to the core application the Eucaris II client application can be used by a State. When applicable, the core and client application are modified under auspices of the Eucaris organisation.
Security concept	M	The concept is based on XML-signing by means of client certificates and SSL-encryption by means of service certificates.
Message specifications	M	Every State has to comply with the message specifications as set by the Eucaris organisation and this Chapter. The specifications can only be changed by the Eucaris organisation in consultation with the States.
Operation and Support	M	The acceptance of new States or a new functionality is under auspices of the Eucaris organisation. Monitoring and help desk functions are managed centrally by an appointed State.

3.2. Functional and Non-Functional Requirements

3.2.1. Generic functionality

In this section the main generic functions have been described in general terms.

No	Description
1.	The system allows the Registration Authorities of the States to exchange request and response messages in an interactive way.
2.	The system contains a client application, enabling end-users to send their requests and presenting the response information for manual processing
3.	The system facilitates "broadcasting", allowing a State to send a request to all other States. The incoming responses are consolidated by the core application in one response message to the client application (this functionality is called a "Multiple Country Inquiry").

No	Description
4.	The system is able to deal with different types of messages. User roles, authorisation, routing, signing and logging are all defined per specific service.
5.	The system allows the States to exchange batches of messages or messages containing a large number of requests or replies. These messages are dealt with in an asynchronous way.
6.	The system queues asynchronous messages if the recipient State is temporarily unavailable and guarantees the deliverance as soon as the recipient is up again.
7.	The system stores incoming asynchronous messages until they can be processed.
8.	The system only gives access to Eucaris applications of other States, not to individual organisations within those other States, i.e. each Registration Authority acts as the single gateway between its national end-users and the corresponding Authorities in the other States.
9.	It is possible to define users of different States on one Eucaris server and to authorise them following the rights of that State.
10.	Information on the requesting State, organisation and end user are included in the messages.
11.	The system facilitates logging of the exchange of messages between the different States and between the core application and the national registration systems.
12.	The system allows a specific secretary, which is an organisation or State explicitly appointed for this task, to gather logged information on messages sent/received by all the participating States, in order to produce statistical reports.
13.	Each State indicates itself what logged information is made available for the secretary and what information is "private".
14.	The system allows the National Administrators of each State to extract statistics of use.
15.	The system enables addition of new States through simple administrative tasks.

3.2.2. Usability

No	Description
16.	The system provides an interface for automated processing of messages by back-end systems/legacy and enables the integration of the user interface in those systems (customised user-interface).
17.	The system is easy to learn, self-explanatory and contains help-text.
18.	The system is documented to assist States in integration, operational activities and future maintenance (e.g. reference guides, functional/technical documentation, operational guide, ...).
19.	The user interface is multi-lingual and offers facilities for the end-user to select a preferred language.
20.	The user interface contains facilities for a Local Administrator to translate both screen-items and coded information to the national language.

3.2.3. Reliability

No	Description
21.	The system is designed as a robust and dependable operational system which is tolerant to operator errors and which will recover cleanly from power cuts or other disasters. It shall be possible to restart the system with no or minimal loss of data.
22.	The system shall give stable and reproducible results.
23.	The system has been designed to function reliably. It is possible to implement the system in a configuration that guarantees an availability of 98 % (by redundancy, the use of back-up servers, etc.) in each bilateral communication.
24.	It is possible to use part of the system, even during failure of some components (if State C is down, States A and B are still able to communicate). The number of single points of failure in the information chain should be minimised.
25.	The recovery time after a severe failure should be less than one day. It should be possible to minimise down-time by using remote support, e.g. by a central service desk.

3.2.4. Performance

No	Description
26.	The system can be used 24x7. This time-window (24x7) is then also required from the States' legacy systems.
27.	The system responds rapidly to user requests irrespective of any background tasks. This is also required from the Parties legacy systems to ensure acceptable response time. An overall response time of 10 seconds maximum for a single request is acceptable.
28.	The system has been designed as a multi-user system and in such a way that background tasks can continue while the user performs foreground tasks.
29.	The system has been designed to be scalable in order to support the potential increase of number of messages when new functionality is added or new organisations or States are added.

3.2.5. Security

No	Description
30.	The system is suited (e.g. in its security measures) for the exchange of messages containing privacy-sensitive personal data (e.g. car owner/holders), classified as EU restricted.
31.	The system is maintained in such a way that unauthorised access to the data is prevented.
32.	The system contains a service for the management of the rights and permissions of national end-users.
33.	States are able to check the identity of the sender (at State level), by means of XML-signing.
34.	States shall explicitly authorise other States to request specific information.

No	Description
35.	The system provides at application level a full security and encryption policy compatible with the level of security required in such situations. Exclusiveness and integrity of the information is guaranteed by the use of XML-signing and encryption by means of SSL-tunnelling.
36.	All exchange of messages can be traced by means of logging.
37.	Protection is provided against deletion attacks (a third party deletes a message) and replay or insertion attacks (a third party replays or inserts a message).
38.	The system makes use of certificates of a Trusted Third Party (TTP).
39.	The system is able to handle different certificates per State, depending on the type of message or service.
40.	The security measures at application level are sufficient to allow the use of non-accredited networks.
41.	The system is able to use novice security techniques such as an XML-firewall.

3.2.6. Adaptability

No	Description
42.	The system is extensible with new messages and new functionality. The costs of adaptations are minimal. Due to the centralised development of application components.
43.	States are able to define new message types for bilateral use. Not all States are required to support all message types.

3.2.7. Support and Maintenance

No	Description
44.	The system provides monitoring facilities for a central service-desk and/or operators concerning the network and servers in the different States.
45.	The system provides facilities for remote support by a central service-desk.
46.	The system provides facilities for problem analysis.
47.	The system can be expanded to new States.
48.	The application can easily be installed by staff with a minimum of IT-qualifications and experience. The installation procedure shall be as much as possible automated.
49.	The system provides a permanent testing and acceptance environment.
50.	The annual costs of maintenance and support has been minimised by adherence to market standards and by creating the application in such a way that as little support as possible from a central service-desk is required.

3.2.8. Design requirements

No	Description
51.	The system is designed and documented for an operational lifetime of many years.
52.	The system has been designed in such a way that it is independent of the network provider.
53.	The system is compliant with the existing HW/SW in the States by interacting with those registration systems using open standard web service technology (XML, XSD, SOAP, WSDL, HTTP(s), Web services, WSS, X.509, etc.).

3.2.9. Applicable standards

No	Description
54.	The system is compliant with data protection issues as stated in Regulation (EC) No 45/2001 (Articles 21, 22 and 23) and Directive 95/46/EC.
55.	The system complies with the IDA Standards.
56.	The system supports UTF8.

CHAPTER 4

EVALUATION PROCEDURE REFERRED TO IN ARTICLE 540

ARTICLE 1

Questionnaire

1. The relevant Working Group of the Council of the European Union (the "Council Working Group") shall draw up a questionnaire concerning each of the automated data exchanges set out in Articles 527 to 539 of this Agreement.
2. As soon as the United Kingdom considers that it fulfils the prerequisites for sharing data in the relevant data category, it shall answer the relevant questionnaire.

ARTICLE 2

Pilot run

1. If required, and with a view to evaluating the results of the questionnaire, the United Kingdom shall carry out a pilot run together with one or more other Member States already sharing data under Decision 2008/615/JHA. The pilot run takes place shortly before or shortly after the evaluation visit.
2. The conditions and arrangements for this pilot run shall be identified by the relevant Council Working Group and be based upon prior individual agreement with the United Kingdom. The States taking part in the pilot run shall decide on the practical details.

ARTICLE 3

Evaluation visit

1. With a view to evaluating the results of the questionnaire, an evaluation visit shall take place.
2. The conditions and arrangement for this visit shall be identified by the relevant Council Working Group and be based upon prior individual agreement between the United Kingdom and the evaluation team. The United Kingdom shall enable the evaluation team to check the automated exchange of data in the data category or categories to be evaluated, in particular by organising a programme for the visit, which takes into account the requests of the evaluation team.

3. Within one month of the visit, the evaluation team shall produce a report on the evaluation visit and shall forward it to the United Kingdom for its comments. If appropriate, this report may be revised by the evaluation team on the basis of the United Kingdom's comments.
4. The evaluation team shall consist of no more than three experts, designated by the Member States taking part in the automated data exchange in the data categories to be evaluated, who have experience regarding the concerned data category, have the appropriate national security clearance to deal with these matters and are willing to take part in at least one evaluation visit in another State. The evaluation team shall also include a representative of the Commission.
5. The members of the evaluation team shall respect the confidential nature of the information they acquire when carrying out their task.

ARTICLE 4

Evaluations carried out under Council Decisions 2008/615/JHA and 2008/616/JHA

When carrying out the evaluation procedure as referred to in Article 540 of this Agreement and this Chapter, the Council, through the relevant Council Working Group, will take into account the results of the evaluation procedures, carried out in the context of the adoption of Council Implementing Decisions (EU) 2019/968¹ and (EU) 2020/1188². The relevant Council Working Group will decide on the necessity of carrying out the pilot run referred to in Article 540(1) of this Agreement, in Article 23(2) of Chapter 0 of this Annex, and in Article 2 of this Chapter.

ARTICLE 5

Report to the Council

An overall evaluation report, summarising the results of the questionnaires, the evaluation visit and, where applicable, the pilot run, shall be presented to the Council for its decision pursuant to Article 540 of this Agreement.

-
- ¹ Council Implementing Decision (EU) 2019/968 of 6 June 2019 on the launch of automated data exchange with regard to DNA data in the United Kingdom (OJ EU L 156, 13.6.2019, p. 8).
 - ² Council Implementing Decision (EU) 2020/1188 of 6 August 2020 on the launch of automated data exchange with regard to dactyloscopic data in the United Kingdom (OJ EU L 265, 12.8.2020, p. 1).

PASSENGER NAME RECORD DATA

Passenger name record data elements (as far as collected by air carriers):

1. PNR record locator;
2. Date of reservation/issue of ticket;
3. Date or dates of intended travel;
4. Name or names;
5. Address, telephone number and electronic contact information of the passenger, the persons who made the flight reservation for the passenger, persons through whom an air passenger may be contacted and persons who are to be informed in the event of an emergency;
6. All available payment/billing information (covering information relating solely to the payment methods for, and billing of, the air ticket, to the exclusion of any other information not directly relating to the flight);
7. Complete travel itinerary for specific PNR;

8. Frequent flyer information (the designator of the airline or vendor that administers the program, frequent flyer traveller number, membership level, tier description and alliance code);
9. Travel agency/travel agent;
10. Travel status of passenger, including confirmations, check-in status, no-show or go-show information;
11. Split/divided PNR information;
12. Other Supplementary Information (OSI), Special Service Information (SSI) and Special Service Request (SSR) information;
13. Ticketing field information, including ticket number, date of ticket issuance and one-way tickets, automated ticket fare quote fields;
14. Seat information, including seat number;
15. Code share information;
16. All baggage information;
17. The names of other passengers on the PNR and number of passengers on the PNR travelling together;

18. Any advance passenger information (API) data collected (type, number, country of issuance and expiry date of any identity document, nationality, family name, given name, gender, date of birth, airline, flight number, departure date, arrival date, departure port, arrival port, departure time and arrival time);
 19. All historical changes to the PNR listed in points 1 to 18.
-

FORMS OF CRIME FOR WHICH EUROPOL IS COMPETENT

- Terrorism,
- Organised crime,
- Drug trafficking,
- Money-laundering activities,
- Crime connected with nuclear and radioactive substances,
- Immigrant smuggling,
- Trafficking in human beings,
- Motor vehicle crime,
- Murder and grievous bodily injury,

- Illicit trade in human organs and tissue,
- Kidnapping, illegal restraint and hostage-taking,
- Racism and xenophobia,
- Robbery and aggravated theft,
- Illicit trafficking in cultural goods, including antiquities and works of art,
- Swindling and fraud,
- Crime against the financial interests of the Union,
- Insider dealing and financial market manipulation,
- Racketeering and extortion,
- Counterfeiting and product piracy,
- Forgery of administrative documents and trafficking therein,
- Forgery of money and means of payment,

- Computer crime,
 - Corruption,
 - Illicit trafficking in arms, ammunition and explosives,
 - Illicit trafficking in endangered animal species,
 - Illicit trafficking in endangered plant species and varieties,
 - Environmental crime, including ship-source pollution,
 - Illicit trafficking in hormonal substances and other growth promoters,
 - Sexual abuse and sexual exploitation, including child abuse material and solicitation of children for sexual purposes,
 - Genocide, crimes against humanity and war crimes.
-

FORMS OF SERIOUS CRIME FOR WHICH EUROJUST IS COMPETENT

- Terrorism,
- Organised crime,
- Drug trafficking,
- Money-laundering activities,
- Crime connected with nuclear and radioactive substances,
- Immigrant smuggling,
- Trafficking in human beings,
- Motor vehicle crime,
- Murder and grievous bodily injury,
- Illicit trade in human organs and tissue,
- Kidnapping, illegal restraint and hostage taking,

- Racism and xenophobia,
- Robbery and aggravated theft,
- Illicit trafficking in cultural goods, including antiquities and works of art,
- Swindling and fraud,
- Crime against the financial interests of the Union,
- Insider dealing and financial market manipulation,
- Racketeering and extortion,
- Counterfeiting and product piracy,
- Forgery of administrative documents and trafficking therein,
- Forgery of money and means of payment,
- Computer crime,
- Corruption,
- Illicit trafficking in arms, ammunition and explosives,

- Illicit trafficking in endangered animal species,
 - Illicit trafficking in endangered plant species and varieties,
 - Environmental crime, including ship source pollution,
 - Illicit trafficking in hormonal substances and other growth promoters,
 - Sexual abuse and sexual exploitation, including child abuse material and solicitation of children for sexual purposes,
 - Genocide, crimes against humanity and war crimes.
-

ARREST WARRANT

This warrant has been issued by a competent judicial authority. I request that the person mentioned below be arrested and surrendered for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order.¹

(a) Information regarding the identity of the requested person:

Name:

Forename(s):

Maiden name, where applicable:

Aliases, where applicable:

Sex:

Nationality:

Date of birth:

Place of birth:

Residence and/or known address:

Language(s) which the requested person understands (if known):

Distinctive marks/description of the requested person:

Photo and fingerprints of the requested person, if they are available and can be transmitted, or contact details of the person to be contacted in order to obtain such information or a DNA profile (where this evidence can be supplied but has not been included)

¹ This warrant must be written in, or translated into, one of the official languages of the executing State, when that State is known, or any other language accepted by that State.

(b) Decision on which the warrant is based:

1. Arrest warrant or judicial decision having the same effect:

Type:

2. Enforceable judgement:

Reference:

(c) Indications on the length of the sentence:

1. Maximum length of the custodial sentence or detention order which may be imposed for the offence(s):

2. Length of the custodial sentence or detention order imposed:

Remaining sentence to be served:

(d) Indicate if the person appeared in person at the trial resulting in the decision:

1. Yes, the person appeared in person at the trial resulting in the decision.

2. No, the person did not appear in person at the trial resulting in the decision.

3. If you have ticked the box under point 2, please confirm the existence of one of the following, if applicable:

- 3.1a. the person was summoned in person on ... (day/month/year) and thereby informed of the scheduled date and place of the trial which resulted in the decision and was informed that a decision may be handed down if he or she does not appear for the trial;

OR

- 3.1b. the person was not summoned in person but by other means actually received official information of the scheduled date and place of the trial which resulted in the decision, in such a manner that it was unequivocally established that he or she was aware of the scheduled trial, and was informed that a decision may be handed down if he or she does not appear for the trial;

OR

- 3.2. being aware of the scheduled trial, the person had given a mandate to a legal counsellor, who was either appointed by the person concerned or by the State, to defend him or her at the trial, and was indeed defended by that counsellor at the trial;

OR

- 3.3. the person was served with the decision on ... (day/month/year) and was expressly informed about the right to a retrial or appeal, in which he or she has the right to participate and which allows the merits of the case, including fresh evidence, to be re-examined, and which may lead to the original decision being reversed, and

- the person expressly stated that he or she does not contest this decision;

OR

- the person did not request a retrial or appeal within the applicable timeframe;

OR

- 3.4. the person was not personally served with the decision, but
 - the person will be personally served with this decision without delay after the surrender; and
 - when served with the decision, the person will be expressly informed of his or her right to a retrial or appeal, in which he or she has the right to participate and which allows the merits of the case, including fresh evidence, to be re-examined, and which may lead to the original decision being reversed; and
 - the person will be informed of the timeframe within which he or she has to request a retrial or appeal, which will be days.

4. If you have ticked the box under point 3.1b, 3.2 or 3.3 above, please provide information about how the relevant condition has been met:

.....
.....

(e) Offences:

This warrant relates to in total: _____ offences

Description of the circumstances in which the offence(s) was (were) committed, including the time, place and degree of participation in the offence(s) by the requested person:

Nature and legal classification of the offence(s) and the applicable statutory provision/code:

I. The following applies only in case both the issuing and the executing State have made a notification under Article 599(4) of the Agreement: if applicable, tick one or more of the following offences, as defined by the law of the issuing State, punishable in the issuing State by a custodial sentence or detention order for a maximum period of at least three years:

- participation in a criminal organisation,
- terrorism as defined in Annex 45 to the Agreement,
- trafficking in human beings,
- sexual exploitation of children and child pornography,
- illicit trafficking in narcotic drugs and psychotropic substances,
- illicit trafficking in weapons, munitions and explosives,
- corruption, including bribery,
- fraud, including that affecting the financial interests of the United Kingdom, of a Member State or of the Union,
- laundering of the proceeds of crime,
- counterfeiting of currency,
- computer-related crime,

- environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties,
- facilitation of unauthorised entry and residence,
- murder, grievous bodily injury,
- illicit trade in human organs and tissue,
- kidnapping, illegal restraint and hostage-taking,
- racism and xenophobia,
- organised or armed robbery,
- illicit trafficking in cultural goods, including antiques and works of art,
- swindling,
- racketeering and extortion,
- counterfeiting and piracy of products,
- forgery of administrative documents and trafficking therein,
- forgery of means of payment,
- illicit trafficking in hormonal substances and other growth promoters,
- illicit trafficking in nuclear or radioactive materials,
- trafficking in stolen vehicles,
- rape,
- arson,
- crimes within the jurisdiction of the International Criminal Court,
- unlawful seizure of aircraft, ships or spacecraft,
- sabotage.

II. Full descriptions of offence(s) not covered by Section I above:

(f) Other circumstances relevant to the case (optional information):
(NB: This could cover remarks on extraterritoriality, interruption of periods of time limitation and other consequences of the offence)

(g) This warrant pertains also to the seizure and handing over of property which may be required as evidence:

This warrant pertains also to the seizure and handing over of property acquired by the requested person as a result of the offence:

Description of the property (and location) (if known):

(h) The offence(s) on the basis of which this warrant has been issued is (are) punishable by/has(have) led to a custodial life sentence or lifetime detention order:

the issuing State will upon request by the executing State give an assurance that it will:

- review the penalty or measure imposed – on request or at least after 20 years,
and/or
- encourage the application of measures of clemency to which the person is entitled to apply for under the law or practice of the issuing State, aiming at a non-execution of such penalty or measure.

(i) The judicial authority which issued the warrant:

Official name:

Name of its representative:¹

Post held (title/grade):

File reference:

Address:

Tel. No.: (country code)
(area/city code)

Fax No. (country code) (area/city
code)

E-mail:

Contact details of the person to
contact to make necessary
practical arrangements for the
surrender:

Where a central authority has been made responsible for the transmission and administrative reception of arrest warrants:

Name of the central authority:

Contact person, if applicable
(title/grade and name):

Address:

Tel. No.: (country code)
(area/city code)

Fax No. (country code) (area/city
code)

E-mail:

¹ In the different language versions a reference to the "holder" of the judicial authority will be included.

Signature of the issuing judicial
authority and/or its
representative:

Name:

Post held (title/grade):

Date:

Official stamp (if available):

EXCHANGE OF CRIMINAL RECORD INFORMATION –
TECHNICAL AND PROCEDURAL SPECIFICATIONS

CHAPTER 1

GENERAL PROVISIONS

ARTICLE 1

Objective

The objective of this Annex is to lay down the necessary procedural and technical provisions for the implementation of Title IX of Part Three of this Agreement.

ARTICLE 2

Communications network

1. The electronic exchange of information extracted from the criminal record between, on the one side, a Member State and, on the other side, the United Kingdom shall take place using a common communication infrastructure that provides for encrypted communications.

2. The common communication infrastructure shall be the Trans European Services for Telematics between Administrations (TESTA) communications network. Any further developments thereof or any alternative secure network shall ensure that the common communication infrastructure in place continues to fulfil the security requirements adequate for the exchange of criminal record information.

ARTICLE 3

Interconnection software

1. The States shall use a standardised interconnection software enabling the connection of their central authorities to the common communication infrastructure in order to exchange the information extracted from the criminal record with the other States electronically in accordance with the provisions of Title IX of Part Three of this Agreement and this Annex.
2. For the Member States, the interconnection software shall be the ECRIS reference implementation software or their national ECRIS implementation software, if necessary adapted for the purposes of information exchange with the United Kingdom as set out in this Agreement.
3. The United Kingdom shall be responsible for the development and operation of its own interconnection software. For that purpose, at the latest before the entry into force of this Agreement, the United Kingdom shall ensure that its national interconnection software functions in accordance with the protocols and technical specifications established for the ECRIS reference implementation software, and with any further technical requirements established by eu-LISA.

4. The United Kingdom shall also ensure the implementation of any subsequent technical adaptations to its national interconnection software required by any changes to the technical specifications established for the ECRIS reference implementation software, or changes to any further technical requirements established by eu-LISA, without undue delay. To that end, the Union shall ensure that the United Kingdom is informed without undue delay of any planned changes to the technical specifications or requirements and is provided with any information necessary for the United Kingdom to comply with its obligations under this Annex.

ARTICLE 4

Information to be transmitted in notifications, requests and replies

1. All notifications referred to in Article 646 of this Agreement shall include the following obligatory information:
 - (a) information on the convicted person (full name, date of birth, place of birth (town and State), gender, nationality and – if applicable – previous name(s));
 - (b) information on the nature of the conviction (date of conviction, name of the court, date on which the decision became final);
 - (c) information on the offence giving rise to the conviction (date of the offence underlying the conviction and name or legal classification of the offence as well as reference to the applicable legal provisions); and

- (d) information on the contents of the conviction (notably the sentence as well as any supplementary penalties, security measures and subsequent decisions modifying the enforcement of the sentence).
2. The following optional information shall be transmitted in notifications if that information has been entered in the criminal record (points (a) to (d)) or is available to the central authority (points (e) to (h)):
- (a) the convicted person's parents' names;
 - (b) the reference number of the conviction;
 - (c) the place of the offence;
 - (d) disqualifications arising from the conviction;
 - (e) the convicted person's identity number, or the type and number of the person's identification document;
 - (f) fingerprints, which have been taken from that person;
 - (g) if applicable, pseudonym and/or alias(es);
 - (h) facial image.

In addition, any other information concerning convictions entered in the criminal record may be transmitted.

3. All requests for information referred to in Article 648 of this Agreement shall be submitted in a standardised electronic format according to the model form set out in Chapter 2 of this Annex, in one of the official languages of the requested State.
4. All replies to requests referred to in Article 649 of this Agreement shall be submitted in a standardised electronic format in accordance with the model form set out in Chapter 2 of this Annex, and accompanied by a list of convictions, as provided for by national law. The requested State shall reply either in one of its official languages or in any other language accepted by both Parties. The United Kingdom, on the one side, and the Union, on behalf of any of its Member States, on the other side, may notify to the Specialised Committee on Law Enforcement and Judicial Cooperation which language(s) it accepts in addition to the official language(s) of that State.
5. The Specialised Committee on Law Enforcement and Judicial Cooperation shall adopt any modifications to the forms in Chapter 2 of this Annex referred to in paragraphs 3 and 4 as may be necessary.

ARTICLE 5

Format of transmission of information

1. When transmitting information in accordance with Article 646 and Article 649 of this Agreement relating to the name or legal classification of the offence and to the applicable legal provisions, the States shall refer to the corresponding code for each of the offences referred to in the transmission, as provided for in the table of offences in Chapter 3 of this Annex. By way of exception, if the offence does not correspond to any specific sub-category, the "open category" code of the relevant or closest category of offences or, in the absence of the latter, an "other offences" code, shall be used for that particular offence.
2. The States may also provide available information relating to the level of completion and the level of participation in the offence and, if applicable, to the existence of total or partial exemption from criminal responsibility, or to recidivism.
3. When transmitting information in accordance with Article 646 and Article 649 of this Agreement relating to the contents of the conviction, notably the sentence as well as any supplementary penalties, security measures and subsequent decisions modifying the enforcement of the sentence, the States shall refer to the corresponding code for each of the penalties and measures referred to in the transmission, as provided for in the table of penalties and measures in Chapter 3 of this Annex. By way of exception, if the penalty or measure does not correspond to any specific sub-category, the "open category" code of the relevant or closest category of penalties and measures or, in the absence of the latter, an "other penalties and measures" code, shall be used for that particular penalty or measure.

4. The States shall also provide, if applicable, available information relating to the nature and/or conditions of execution of the penalty or measure imposed as provided for in the table of parameters of Chapter 3 of this Annex. The parameter "non-criminal ruling" shall be indicated only in cases where information on such a ruling is provided on a voluntary basis by the State of nationality of the person concerned, when replying to a request for information on convictions.
5. The following information shall be provided by the States to the Specialised Committee on Law Enforcement and Judicial Cooperation, with a view in particular to disseminating this information to other States:
 - (a) the list of national offences in each of the categories referred to in the table of offences in Chapter 3 of this Annex. The list shall include the name or legal classification of the offence and reference to the applicable legal provisions. It may also include a short description of the constitutive elements of the offence;
 - (b) the list of types of sentences, possible supplementary penalties and security measures and possible subsequent decisions modifying the enforcement of the sentence as defined in national law, in each of the categories referred to in the table of penalties and measures in Chapter 3 of this Annex. It may also include a short description of the specific penalty or measure.
6. The lists and descriptions referred to in paragraph 5 shall be regularly updated by the States. Updated information shall be sent to the Specialised Committee on Law Enforcement and Judicial Cooperation.

7. The Specialised Committee on Law Enforcement and Judicial Cooperation shall adopt any modifications to the tables in Chapter 3 of this Annex referred to in paragraphs 1 to 4 as may be necessary.

ARTICLE 6

Continuity of transmission

If the electronic mode of transmission of information is temporarily not available, the States shall transmit information by any means capable of producing a written record under conditions allowing the central authority of the requested State to establish the authenticity thereof, for the entire period of such unavailability.

ARTICLE 7

Statistics and reporting

1. An evaluation of the electronic exchange of information extracted from criminal records pursuant to Title IX of Part Three of this Agreement shall be carried out on a regular basis. The evaluation shall be based on the statistics and reports of the respective States.
2. Each State shall compile statistics on the exchange generated by the interconnection software and shall forward them every month to the Specialised Committee on Law Enforcement and Judicial Cooperation and to eu-LISA. The States shall also provide the Specialised Committee on Law Enforcement and Judicial Cooperation and eu-LISA with the statistics on the number of nationals of other States convicted on their territory and on the number of such convictions.

ARTICLE 8

Technical specifications

The States shall observe common technical specifications on the electronic exchange of information extracted from the criminal record as provided by eu-LISA in the implementation of this Agreement and shall adapt their systems as appropriate without undue delay.

CHAPTER 2

FORMS

Request for information extracted from the criminal record

(a) Information on the requesting State:

State:

Central authority(ies):

Contact person:

Telephone (with STD code):

Fax (with STD code):

E-mail address:

Correspondence address:

File reference, if known:

(b) Information on the identity of the person concerned by the request⁽¹⁾:

Full name (forenames and all surnames)

Previous names:

Pseudonym and/or alias, if any:

Gender: M F

Nationality:

Date of birth (in figures: dd/mm/yyyy):

Place of birth (town and State):

Father's name:

Mother's name:

Residence or known address:

Person's identity number or type and number of the person's identification document:

Fingerprints:

Facial image:

Other available identification information:

(c) Purpose of the request:

Please tick the appropriate box

- (1) criminal proceedings (please identify the authority before which the proceedings are pending and, if available, the case reference number) ...

...

- (2) request outside the context of criminal proceedings (please identify the authority before which the proceedings are pending and, if available, the case reference number, while ticking the relevant box):

- (i) from a judicial authority ...

...

- (ii) from a competent administrative authority ...
...
- (iii) from the person concerned for information on own criminal record ...
...

Purpose for which the information is requested:

Requesting authority:

- the person concerned does not consent for this information to be divulged (if the person concerned was asked for his or her consent in accordance with the law of the requesting State).

Contact person for any further information needed:

Name:

Telephone:

E-mail address:

Other information (e.g. urgency of the request):

Reply to the request

Information relating to the person concerned

Please tick the appropriate box

The undersigned authority confirms that:

- there is no information on convictions in the criminal record of the person concerned
- there is information on convictions entered in the criminal record of the person concerned; a list of convictions is attached
- there is other information entered in the criminal record of the person concerned; such information is attached (optional)
- there is information on convictions entered in the criminal record of the person concerned but the convicting State intimated that the information about these convictions may not be retransmitted for any purposes other than that of criminal proceedings. The request for more information may be sent directly to ... (please indicate the convicting State)
- in accordance with the national law of the requested State, requests made for any purposes other than that of criminal proceedings may not be dealt with.

Contact person for any further information needed:

Name:

Telephone:

E-mail address:

Other information (limitations of use of the data concerning requests outside the context of criminal proceedings):

Please indicate the number of pages attached to the reply form:

Done at

on

Signature and official stamp (if appropriate):

Name and position/organisation:

If appropriate, please attach a list of convictions and send the complete package to the requesting State. It is not necessary to translate the form or the list into the language of the requesting State.

(¹) To facilitate the identification of the person as much information as possible is to be provided.

CHAPTER 3

STANDARISED FORMAT OF TRANSMISSION OF INFORMATION

Common table of offences categories, with a table of parameters,
referred to in Article 5(1) and (2) of Chapter 1

Code	Categories and sub-categories of offences
0100 00 open category	Crimes within the jurisdiction of the International Criminal Court
0101 00	Genocide
0102 00	Crimes against humanity
0103 00	War crimes
0200 00 open category	Participation in a criminal organisation
0201 00	Directing a criminal organisation
0202 00	Knowingly taking part in the criminal activities of a criminal organisation
0203 00	Knowingly taking part in the non-criminal activities of a criminal organisation
0300 00 open category	Terrorism
0301 00	Directing a terrorist group
0302 00	Knowingly participating in the activities of a terrorist group
0303 00	Financing of terrorism
0304 00	Public provocation to commit a terrorist offence
0305 00	Recruitment or training for terrorism

Code	Categories and sub-categories of offences
0400 00 open category	Trafficking in human beings
0401 00	Trafficking in human beings for the purposes of labour or services exploitation
0402 00	Trafficking in human beings for the purposes of the exploitation of the prostitution of others or other forms of sexual exploitation
0403 00	Trafficking in human beings for the purposes of organ or human tissue removal
0404 00	Trafficking in human beings for the purposes of slavery, practices similar to slavery or servitude
0405 00	Trafficking in human beings for the purposes of labour or services exploitation of a minor
0406 00	Trafficking in human beings for the purposes of the exploitation of the prostitution of minors or other forms of their sexual exploitation
0407 00	Trafficking in human beings for the purposes of organ or human tissue removal of a minor
0408 00	Trafficking in human beings for the purposes of slavery, practices similar to slavery or servitude of a minor
0500 00 open category	Illicit trafficking ⁽¹⁾ and other offences related to weapons, firearms, their parts and components, ammunition and explosives
0501 00	Illicit manufacturing of weapons, firearms, their parts and components, ammunition and explosives
0502 00	Illicit trafficking of weapons, firearms, their parts and components ammunition and explosives at national level ⁽²⁾
0503 00	Illicit exportation or importation of weapons, firearms, their parts and components, ammunition and explosives
0504 00	Unauthorised possession or use of weapons, firearms, their parts and components, ammunition and explosives

Code	Categories and sub-categories of offences
0600 00 open category	Environmental crime
0601 00	Destroying or damaging protected fauna and flora species
0602 00	Unlawful discharges of polluting substances or ionising radiation into air, soil or water
0603 00	Offences related to waste, including hazardous waste
0604 00	Offences related to illicit trafficking ⁽¹⁾ in protected fauna and flora species or parts thereof
0605 00	Unintentional environmental offences
0700 00 open category	Offences related to drugs or precursors, and other offences against public health
0701 00	Offences related to illicit trafficking ⁽³⁾ in narcotic drugs, psychotropic substances and precursors not exclusively for own personal consumption
0702 00	Illicit consumption of drugs and their acquisition, possession, manufacture or production exclusively for own personal consumption
0703 00	Aiding or inciting others to use narcotic drugs or psychotropic substances illicitly
0704 00	Manufacture or production of narcotic drugs not exclusively for personal consumption
0800 00 open category	Crimes against the person
0801 00	Intentional killing
0802 00	Aggravated cases of intentional killing ⁽⁴⁾
0803 00	Unintentional killing
0804 00	Intentional killing of a new-born by his/her mother
0805 00	Illegal abortion
0806 00	Illegal euthanasia

Code	Categories and sub-categories of offences
0807 00	Offences related to committing suicide
0808 00	Violence causing death
0809 00	Causing grievous bodily injury, disfigurement or permanent disability
0810 00	Unintentionally causing grievous bodily injury, disfigurement or permanent disability
0811 00	Causing minor bodily injury
0812 00	Unintentionally causing minor bodily injury
0813 00	Exposing to danger of loss of life or grievous bodily injury
0814 00	Torture
0815 00	Failure to offer aid or assistance
0816 00	Offences related to organ or tissue removal without authorisation or consent
0817 00	Offences related to illicit trafficking ⁽³⁾ in human organs and tissue
0818 00	Domestic violence or threat
0900 00 open category	Offences against personal liberty, dignity and other protected interests, including racism and xenophobia
0901 00	Kidnapping, kidnapping for ransom, illegal restraint
0902 00	Unlawful arrest or deprivation of liberty by public authority
0903 00	Hostage-taking
0904 00	Unlawful seizure of an aircraft or ship
0905 00	Insults, slander, defamation, contempt
0906 00	Threats
0907 00	Duress, pressure, stalking, harassment or aggression of a psychological or emotional nature
0908 00	Extortion
0909 00	Aggravated extortion
0910 00	Illegal entry into private property

Code	Categories and sub-categories of offences
0911 00	Invasion of privacy other than illegal entry into private property
0912 00	Offences against protection of personal data
0913 00	Illegal interception of data or communication
0914 00	Discrimination on grounds of gender, race, sexual orientation, religion or ethnic origin
0915 00	Public incitement to racial discrimination
0916 00	Public incitement to racial hatred
0917 00	Blackmail
1000 00 open category	Sexual offences
1001 00	Rape
1002 00	Aggravated rape ⁽⁵⁾ other than rape of a minor
1003 00	Sexual assault
1004 00	Procuring for prostitution or sexual act
1005 00	Indecent exposure
1006 00	Sexual harassment
1007 00	Soliciting by a prostitute
1008 00	Sexual exploitation of children
1009 00	Offences related to child pornography or indecent images of minors
1010 00	Rape of a minor
1011 00	Sexual assault of a minor
1100 00 open category	Offences against family law
1101 00	Illicit sexual relations between close family members
1102 00	Polygamy

Code	Categories and sub-categories of offences
1103 00	Evading the alimony or maintenance obligation
1104 00	Neglect or desertion of a minor or a disabled person
1105 00	Failure to comply with an order to produce a minor or removal of a minor
1200 00 open category	Offences against the State, public order, course of justice or public officials
1201 00	Espionage
1202 00	High treason
1203 00	Offences related to elections and referendum
1204 00	Attempt against life or health of the Head of State
1205 00	Insult of the State, Nation or State symbols
1206 00	Insult or resistance to a representative of public authority
1207 00	Extortion, duress, pressure towards a representative of public authority
1208 00	Assault or threat on a representative of public authority
1209 00	Public order offences, breach of the public peace
1210 00	Violence during sports events
1211 00	Theft of public or administrative documents
1212 00	Obstructing or perverting the course of justice, making false allegations in the course of criminal or judicial proceedings, perjury
1213 00	Unlawful impersonation of a person or an authority
1214 00	Escape from lawful custody
1300 00 open category	Offences against public property or public interests
1301 00	Public, social security or family benefit fraud

Code	Categories and sub-categories of offences
1302 00	Fraud affecting European benefits or allowances
1303 00	Offences related to illegal gambling
1304 00	Obstructing of public tender procedures
1305 00	Active or passive corruption of a civil servant, a person holding public office or public authority
1306 00	Embezzlement, misappropriation or other diversion of property by a public official
1307 00	Abuse of a function by a public official
1400 00 open category	Tax and customs offences
1401 00	Tax offences
1402 00	Customs offences
1500 00 open category	Economic and trade related offences
1501 00	Bankruptcy or fraudulent insolvency
1502 00	Breach of accounting regulation, embezzlement, concealment of assets or unlawful increase in a company's liabilities
1503 00	Violation of competition rules
1504 00	Laundering of proceeds from crime
1505 00	Active or passive corruption in the private sector
1506 00	Revealing a secret or breaching an obligation of secrecy
1507 00	"Insider trading"
1600 00 open category	Offences against property or causing damage to goods
1601 00	Unlawful appropriation

Code	Categories and sub-categories of offences
1602 00	Unlawful appropriation or diversion of energy
1603 00	Fraud, including swindling
1604 00	Dealing in stolen goods
1605 00	Illicit trafficking ⁽⁶⁾ in cultural goods, including antiques and works of art
1606 00	Intentional damage or destruction of property
1607 00	Unintentional damage or destruction of property
1608 00	Sabotage
1609 00	Offences against industrial or intellectual property
1610 00	Arson
1611 00	Arson causing death or injury to persons
1612 00	Forest arson
1700 00 open category	Theft offences
1701 00	Theft
1702 00	Theft after unlawful entry into property
1703 00	Theft, using violence or weapons, or using threat of violence or weapons against person
1704 00	Forms of aggravated theft which do not involve use of violence or weapons, or use of threat of violence or weapons, against persons.
1800 00 open category	Offences against information systems and other computer-related crime
1801 00	Illegal access to information systems
1802 00	Illegal system interference
1803 00	Illegal data interference
1804 00	Production, possession, dissemination of or trafficking in computer devices or data enabling commitment of computer-related offences

Code	Categories and sub-categories of offences
1900 00 open category	Forgery of means of payment
1901 00	Counterfeiting or forging currency
1902 00	Counterfeiting of non-cash means of payment
1903 00	Counterfeiting or forging public fiduciary documents
1904 00	Putting into circulation/using counterfeited or forged currency, non-cash means of payment or public fiduciary documents
1905 00	Possession of a device for the counterfeiting or forgery of currency or public fiduciary documents
2000 00 open category	Falsification of documents
2001 00	Falsification of a public or administrative document by a private individual
2002 00	Falsification of a document by a civil servant or a public authority
2003 00	Supply or acquisition of a forged public or administrative document; supply or acquisition of a forged document by a civil servant or a public authority
2004 00	Using forged public or administrative documents
2005 00	Possession of a device for the falsification of public or administrative documents
2006 00	Forgery of private documents by a private individual
2100 00 open category	Offences against traffic regulations
2101 00	Dangerous driving
2102 00	Driving under the influence of alcohol or narcotic drugs
2103 00	Driving without a licence or while disqualified
2104 00	Failure to stop after a road accident
2105 00	Avoiding a road check
2106 00	Offences related to road transport

Code	Categories and sub-categories of offences
2200 00 open category	Offences against labour law
2201 00	Unlawful employment
2202 00	Offences relating to remuneration, including social security contributions
2203 00	Offences relating to working conditions, health and safety at work
2204 00	Offences relating to access to or exercise of a professional activity
2205 00	Offences relating to working hours and rest time
2300 00 open category	Offences against migration law
2301 00	Unauthorised entry or residence
2302 00	Facilitation of unauthorised entry and residence
2400 00 open category	Offences against military obligations
2500 00 open category	Offences related to hormonal substances and other growth promoters
2501 00	Illicit importation, exportation or supply of hormonal substances and other grown promoters
2600 00 open category	Offences related to nuclear materials or other hazardous radioactive substances
2601 00	Illicit importation, exportation, supply or acquisition of nuclear or radioactive materials
2700 00 open category	Other offences
2701 00	Other intentional offences
2702 00	Other unintentional offences

-
- (1) Unless otherwise specified in this category, "trafficking" means import, export, acquisition, sale, delivery, movement or transfer.
 - (2) For the purposes of this sub-category trafficking includes acquisition, sale, delivery, movement or transfer.
 - (3) For the purposes of this sub-category trafficking includes import, export, acquisition, sale, delivery, movement or transfer.
 - (4) For example: particularly grave circumstances.
 - (5) For example rape with particular cruelty.
 - (6) Trafficking includes import, export, acquisition, sale, delivery, movement or transfer.

Parameters		
Level of completion:	Completed act	C
	Attempt or preparation	A
	Non-transmitted element	Ø
Level of participation:	Perpetrator	M
	Aider and abettor or instigator/organiser, conspirator	H
	Non-transmitted element	Ø
Exemption from criminal responsibility:	Insanity or diminished responsibility	S
Recidivism		R

Common table of penalties and measures categories, with a table of parameters,
referred to in Article 5(3) and (4) of Chapter 1

Code	Categories and sub-categories of penalties and measures
1000 open category	Deprivation of freedom
1001	Imprisonment
1002	Life imprisonment
2000 open category	Restriction of personal freedom
2001	Prohibition from frequenting some places
2002	Restriction to travel abroad
2003	Prohibition to stay in some places
2004	Prohibition from entry to a mass event
2005	Prohibition to enter in contact with certain persons through whatever means
2006	Placement under electronic surveillance ⁽¹⁾
2007	Obligation to report at specified times to a specific authority
2008	Obligation to stay/reside in a certain place
2009	Obligation to be at the place of residence on the set time
2010	Obligation to comply with the probation measures ordered by the court, including the obligation to remain under supervision
3000 open category	Prohibition of a specific right or capacity
3001	Disqualification from function

Code	Categories and sub-categories of penalties and measures
3002	Loss/suspension of capacity to hold or to be appointed to public office
3003	Loss/suspension of the right to vote or to be elected
3004	Incapacity to contract with public administration
3005	Ineligibility to obtain public subsidies
3006	Cancellation of the driving licence ⁽²⁾
3007	Suspension of driving licence
3008	Prohibition to drive certain vehicles
3009	Loss/suspension of the parental authority
3010	Loss/suspension of right to be an expert in court proceedings/witness under oath/juror
3011	Loss/suspension of right to be a legal guardian ⁽³⁾
3012	Loss/suspension of right of decoration or title
3013	Prohibition to exercise professional, commercial or social activity
3014	Prohibition from working or activity with minors
3015	Obligation to close an establishment
3016	Prohibition to hold or to carry weapons
3017	Withdrawal of a hunting/fishing license
3018	Prohibition to issue cheques or to use payment/credit cards
3019	Prohibition to keep animals
3020	Prohibition to possess or use certain items other than weapons
3021	Prohibition to play certain games/sports
4000 open category	Prohibition or expulsion from territory
4001	Prohibition from national territory
4002	Expulsion from national territory

Code	Categories and sub-categories of penalties and measures
5000 open category	Personal obligation
5001	Submission to medical treatment or other forms of therapy
5002	Submission to a social-educational programme
5003	Obligation to be under the care/control of the family
5004	Educational measures
5005	Socio-judicial probation
5006	Obligation of training/working
5007	Obligation to provide judicial authorities with specific information
5008	Obligation to publish the judgment
5009	Obligation to compensate for the prejudice caused by the offence
6000 open category	Penalty on personal property
6001	Confiscation
6002	Demolition
6003	Restoration
7000 open category	Placing in an institution
7001	Placing in a psychiatric institution
7002	Placing in a detoxification institution
7003	Placing in an educational institution

Code	Categories and sub-categories of penalties and measures
8000 open category	Financial penalty
8001	Fine
8002	Day-fine ⁽⁴⁾
8003	Fine for the benefit of a special recipient ⁽⁵⁾
9000 open category	Working penalty
9001	Community service or work
9002	Community service or work accompanied with other restrictive measures
10000 open category	Military penalty
10001	Loss of military rank ⁽⁶⁾
10002	Expulsion from professional military service
10003	Military imprisonment
11000 open category	Exemption/deferment of sentence/penalty, warning
12000 open category	Other penalties and measures

Parameters (to be specified where applicable)	
ø	Penalty
m	Measure
a	Suspended penalty/measure
b	Partially suspended penalty/measure
c	Suspended penalty/measure with probation/supervision
d	Partially suspended penalty/measure with probation/supervision
e	Conversion of penalty/measure
f	Alternative penalty/measure imposed as principal penalty
g	Alternative penalty/measure imposed initially in case of non-respect of the principal penalty
h	Revocation of suspended penalty/measure
i	Subsequent formation of an overall penalty
j	Interruption of enforcement/postponement of the penalty/measure ⁽⁷⁾
k	Remission of the penalty
l	Remission of the suspended penalty
n	End of penalty
o	Pardon
p	Amnesty
q	Release on parole (liberation of a person before end of the sentence under certain conditions)
r	Rehabilitation (with or without the deletion of penalty from criminal records)
s	Penalty or measure specific to minors
t	Non-criminal ruling ⁽⁸⁾

⁽¹⁾ Fixed or mobile placement.

⁽²⁾ Reapplication in order to obtain a new driving licence is necessary.

⁽³⁾ Legal guardian for a person who is legally incompetent or for a minor.

⁽⁴⁾ Fine expressed in daily units.

⁽⁵⁾ E.g.: for an institution, association, foundation or a victim.

⁽⁶⁾ Military demotion.

⁽⁷⁾ Does not lead to avoidance of enforcement of penalty.

⁽⁸⁾ This parameter will be indicated only when such information is provided in reply to the request received by the State of nationality of the person concerned.

DEFINITION OF TERRORISM

1. Scope

For the purposes of Title IX of Part Three, point (b) of Article 599(3), Article 599(4), point (c) of Article 602(2) and point (a) of Article 670(2) of this Agreement, Annex 43 and Annex 46, "terrorism" means the offences as defined in paragraphs 3 to 14 of this Annex.

2. Definitions of terrorist group and structured group

2.1 "Terrorist group" means a structured group of more than two persons, established for a period of time and acting in concert to commit terrorist offences.

2.2 "Structured group" means a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.

3. Terrorist offences

- 3.1 Intentional acts, as defined as offences under domestic law, which, given their nature or context may seriously damage a country or an international organisation where committed with one of the aims listed in paragraph 3.2:
- (a) attacks upon a person's life which may cause death;
 - (b) attacks upon the physical integrity of a person;
 - (c) kidnapping or hostage-taking;
 - (d) causing extensive destruction to a government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property likely to endanger human life or result in major economic loss;
 - (e) seizure of aircraft, ships or other means of public or goods transport;
 - (f) manufacture, possession, acquisition, transport, supply or use of explosives or weapons, including chemical, biological, radiological or nuclear weapons, as well as research into, and development of, chemical, biological, radiological or nuclear weapons;
 - (g) release of dangerous substances, or causing fires, floods or explosions, the effect of which is to endanger human life;
 - (h) interfering with or disrupting the supply of water, power or any other fundamental natural resource, the effect of which is to endanger human life;

- (i) seriously hindering or interrupting the functioning of an information system by inputting computer data, by transmitting, damaging, deleting, deteriorating, altering or suppressing such data, or by rendering such data inaccessible, intentionally and without right, in cases where:
 - (i) a significant number of information systems have been affected through the use of a tool designed or adapted primarily for that purpose;
 - (ii) the offence causes serious damage;
 - (iii) the offence is committed against a critical infrastructure information system;
- (j) deleting, damaging, deteriorating, altering or suppressing computer data on an information system, or rendering such data inaccessible, intentionally and without right, in cases where the offence is committed against a critical infrastructure information system;
- (k) threatening to commit any of the acts listed in points (a) to (j).

3.2 The aims referred to in paragraph 3.1 are:

- (a) seriously intimidating a population;
- (b) unduly compelling a government or an international organisation to perform or abstain from performing any act;

- (c) seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation.

4. Offences relating to a terrorist group

The following intentional acts:

- (a) directing a terrorist group;
- (b) participating in the activities of a terrorist group, including by supplying information or material resources, or by funding its activities in any way, with knowledge of the fact that such participation will contribute to the criminal activities of the terrorist group.

5. Public provocation to commit a terrorist offence

The distribution, or otherwise making available by any means, whether online or offline, of a message to the public, with the intent to incite the commission of one of the offences listed in points (a) to (j) of paragraph 3.1 where such conduct, directly or indirectly, such as by the glorification of terrorist acts, advocates the commission of terrorist offences, thereby causing a danger that one or more such offences may be committed when committed intentionally.

6. Recruitment for terrorism

Soliciting another person to commit or contribute to the commission of one of the offences listed in points (a) to (j) of paragraph 3.1, or in paragraph 4 when committed intentionally.

7. Providing training for terrorism

Providing instruction on the making or use of explosives, firearms or other weapons or noxious or hazardous substances, or on other specific methods or techniques, for the purpose of committing, or contributing to the commission of, one of the offences listed in points (a) to (j) of paragraph 3.1, knowing that the skills provided are intended to be used for this purpose when committed intentionally.

8. Receiving training for terrorism

Receiving instruction on the making or use of explosives, firearms or other weapons or noxious or hazardous substances, or on other specific methods or techniques, for the purpose of committing, or contributing to the commission of, one of the offences listed in points (a) to (j) of paragraph 3.1 when committed intentionally.

9. Travelling for the purpose of terrorism

- 9.1 Travelling to a country other than that State for the purpose of committing, or contributing to the commission of, a terrorist offence as referred to in paragraph 3, for the purpose of the participation in the activities of a terrorist group with knowledge of the fact that such participation will contribute to the criminal activities of such a group as referred to in paragraph 4, or for the purpose of providing or receiving training for terrorism as referred to in paragraphs 7 and 8 when committed intentionally.

9.2 In addition, the following conduct when committed intentionally:

- (a) travelling to that State for the purpose of committing, or contributing to the commission of, a terrorist offence as referred to in paragraph 3, for the purpose of the participation in the activities of a terrorist group with knowledge of the fact that such participation will contribute to the criminal activities of such a group as referred to in paragraph 4, or for the purpose of providing or receiving training for terrorism as referred to in paragraphs 7 and 8; or
- (b) preparatory acts undertaken by a person entering that State with the intention to commit, or contribute to the commission of, a terrorist offence as referred to in paragraph 3.1.

10. Organising or otherwise facilitating travelling for the purpose of terrorism

Any act of organisation or facilitation that assists any person in travelling for the purpose of terrorism, as referred to in paragraph 9.1 and point (a) of paragraph 9.2, knowing that the assistance thus rendered is for that purpose when committed intentionally.

11. Terrorist financing

11.1 Providing or collecting funds, by any means, directly or indirectly, with the intention that they be used, or in the knowledge that they are to be used, in full or in part, to commit, or to contribute to the commission of, any of the offences referred to in paragraphs 3 to 10 when committed intentionally.

11.2 Where the terrorist financing referred to in paragraph 11.1 concerns any of the offences laid down in paragraphs 3, 4 and 9, it shall not be necessary that the funds be in fact used, in full or in part, to commit, or to contribute to the commission of, any of those offences, nor shall it be required that the offender knows for which specific offence or offences the funds are to be used.

12. Other offences related to terrorist activities

The following intentional acts:

- (a) aggravated theft with a view to committing one of the offences listed in paragraph 3;
- (b) extortion with a view to committing one of the offences listed in paragraph 3;
- (c) drawing up or using false administrative documents with a view to committing one of the offences listed points (a) to (j) of paragraph 3.1, point (b) of paragraph 4, and paragraph 9.

13. Relationship to terrorist offences

For an offence referred to in paragraphs 4 to 12 to be considered terrorism as referred to in paragraph 1, it shall not be necessary that a terrorist act be actually committed, nor shall it be necessary, insofar as the offences referred to in paragraphs 5 to 10 and 12 are concerned, to establish a link to another specific offence laid down in this Annex.

14. Aiding and abetting, inciting and attempting

The following acts:

- (a) aiding and abetting an offence referred to in paragraphs 3 to 8, 11 and 12;
 - (b) inciting an offence referred to in paragraphs 3 to 12; and
 - (c) attempting to commit an offence referred to in paragraphs 3, 6 and 7, paragraph 9.1, point (a) of paragraph 9.2, and paragraphs 11 and 12, with the exception of possession as provided for in point (f) of paragraph 3.1 and the offence referred to in point (k) of paragraph 3.1.
-

FREEZING AND CONFISCATION

**Freezing / Provisional Measures
Request Form**

SECTION A

Requesting State:

Requested State:

SECTION B: Urgency

Grounds for urgency and/or requested date of execution:

Time limits for execution of the freezing request are set out in Article 663 of the Agreement. However, if a shorter or specific time limit is necessary, please provide the date and explain the reason for this:

SECTION C: Relevant persons

State all information, as far as known, regarding the identity of the (1) natural or (2) legal person(s) concerned in the freezing request or of the person(s) that owns/own the property that is covered by the freezing request (if more than one person is concerned, please provide the information for each person):

1. Natural person:

Name:

First name(s):

Other relevant name(s), if applicable:

Aliases, if applicable:

Sex:

Nationality:

Identity number or social security number:

Type and number of the identity document(s) (ID card, passport), if available:

Date of birth:

Place of birth:

Residence and/or known address; if address not known, state the last known address:

Language(s) which the person understands:

Please indicate whether this person has the freezing request directed against him or her or owns the property that is covered by the freezing request:

2. Legal person:

Name:

Form of legal person:

Shortened name, commonly used name or trading name, if applicable:

Registered seat:

Registration number:

Address of the legal person:

Name of the legal person's representative:

Please indicate whether this legal person has the freezing request directed against it or owns the property that is covered by the freezing request:

If different from the address above, please give the location where the freezing measure is to be carried out:

3. Third parties:

(i) Third parties whose rights in relation to the property that is covered by the freezing request are directly prejudiced by the request (identity and grounds), if applicable:

(ii) In case third parties have had the opportunity to claim rights, attach documents demonstrating that this has been the case.

4. Provide any other information that will assist with the execution of the freezing request:

SECTION D: Relevant Property

State all information, as far as known, regarding the assets subject of the freezing request. Please provide details of all property and individual items where applicable:

1. If relating to an amount of money:
 - (i) Grounds for believing that the person has property/income in the requested State
 - (ii) Description and location of the property/source of income of that person
 - (iii) Exact location of the property/source of income of that person
 - (iv) Details of the bank account of that person (if known)
2. If the freezing request concerns specific item(s) of property (or property of equivalent value to such property):
 - (i) Grounds for believing that the specific item(s) of property is located in the requested State
 - (ii) Description and location of the specific item(s) of property
 - (iii) Other relevant information
3. Total amount requested for freezing or execution in the requested State (in figures and words, indicate currency):

SECTION E: Grounds for request or issuing freezing order (if applicable)

Summary of the facts:

1. Set out the reasons for the freezing request or why the order has been issued, including a summary of the underlying facts and grounds for freezing, a description of the criminal offence(s) charged, under investigation or subject to proceedings, the stage the investigation or proceedings have reached, the reasons for any risk factors and any other relevant information.
2. Nature and legal classification of the criminal offence(s) in relation to which the freezing request relates or the order was issued and the applicable legal provision(s).

3. The following applies only in the case(s) where both the requesting and requested State have made a notification under Article 670(2) of the Agreement: if applicable, tick one or more of the following offences, as defined by the law of the requesting State, punishable in the requesting State by a custodial sentence or detention order for a maximum period of at least three years. Where the freezing request or order concerns several criminal offences, please indicate numbers in the list of criminal offences below (corresponding to the criminal offences as described under points 1 and 2 above):

- participation in a criminal organisation
- terrorism as defined in Annex 45
- trafficking in human beings
- sexual exploitation of children and child pornography
- illicit trafficking in narcotic drugs and psychotropic substances
- illicit trafficking in weapons, munitions and explosives
- corruption, including bribery
- fraud, including that affecting the financial interests of the United Kingdom, a Member State or the Union
- laundering of the proceeds of crime
- counterfeiting currency
- computer-related crime
- environmental crime, including illicit trafficking in endangered animal species and endangered plant species and varieties
- facilitation of unauthorised entry and residence
- murder
- grievous bodily injury

- illicit trade in human organs and tissue
- kidnapping, illegal restraint and hostage-taking
- racism and xenophobia
- organised or armed robbery
- illicit trafficking in cultural goods, including antiques and works of art
- swindling
- racketeering and extortion
- counterfeiting and piracy of products
- forgery of administrative documents and trafficking therein
- forgery of means of payment
- illicit trafficking in hormonal substances and other growth promoters
- illicit trafficking in nuclear or radioactive materials
- trafficking in stolen vehicles
- rape
- arson
- crimes within the jurisdiction of the International Criminal Court
- unlawful seizure of aircraft, ships or spacecraft
- sabotage

4. Any other relevant information (e.g. relation between the property and the criminal offence):

SECTION F: Confidentiality

- Need to maintain the information in the request confidential after execution:
- Need for specific formalities at the time of execution:

SECTION G: Requests to more than one State

Where a freezing request has been transmitted to more than one State, provide the following information:

1. A freezing request has been transmitted to the following other State(s) (State and authority):
2. Please indicate the reasons for transmitting freezing requests to multiple States:
3. Value of assets, if known, in each requested State:
4. Please indicate any specific needs:

SECTION H: Relation to earlier freezing requests or orders

If applicable, provide information relevant to identify previous or related freezing requests:

1. Date of request or issue and transmission of order:
2. Authority to which it was transmitted:
3. Reference given by the issuing and executing authorities:

SECTION I: Confiscation

This freezing request is accompanied by a confiscation order issued in the requesting State (reference number of the confiscation order):

- Yes, reference number:
- No

The property shall remain frozen in the requested State pending the transmission and execution of the confiscation order (estimated date for submission of the confiscation order, if possible):

SECTION J: Legal remedies (if applicable)

Please indicate if a legal remedy can be sought in the requesting State against the issuing of a freezing request/order, and if so please provide further details (description of the legal remedy, including necessary steps to take and deadlines):

SECTION K: Issuing Authority

If there is a freezing order in the requesting state upon which this freezing request is based, please provide the following details:

1. Type of issuing authority:

- judge, court, public prosecutor
- another competent authority designated by the requesting State

2. Contact details:

Official name of the issuing authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

Fax No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the issuing authority:

Signature of the issuing authority and/or its representative certifying the content of the Freezing/Provisional Measures Request Form as accurate and correct:

Name:

Post held (title/grade):

Date:

Official stamp (if available):

SECTION L: Validating Authority

Please indicate the type of authority which has validated the Freezing/Provisional Measures Request Form, if applicable:

- judge, court, public prosecutor
- another competent authority designated by the requesting State

Official name of the validating authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

Fax No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the competent authority:

SECTION M: Central Authority

Please indicate the central authority responsible for the administrative transmission and receipt of freezing requests in the requesting State:

Official name of the central authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

Fax No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the competent authority:

SECTION N: Further information

1. Please indicate if the main contact point in the requesting State should be the:

- issuing authority
- competent authority
- central authority

2. If different from above, please provide the contact details of the person(s) to contact for additional information regarding this freezing request:

Name/Title/Organisation:

Address:

E-mail/Contact Phone No:

SECTION O: Annexes

The original or duly authenticated copy of the freezing order must be provided with the Freezing/Provisional Measures Request Form if a freezing order has been issued in the requesting State.

Confiscation Request Form

<p>SECTION A</p> <p>Requesting State:</p> <p>Requested State:</p>
<p>SECTION B: Confiscation order</p> <p>Date of issue:</p> <p>Date order became final:</p> <p>Reference number:</p> <p>Total amount of order in figures and words, indicate currency</p> <p>Amount requested for execution in requested State, or if specific type(s) of property, description and location of property</p> <p>Please provide details of the court findings in relation to the confiscation order:</p> <ul style="list-style-type: none"><input type="checkbox"/> property is the proceeds of an offence, or equivalent to the full or part of the value of such proceeds<input type="checkbox"/> property constitutes instrumentalities of such an offence<input type="checkbox"/> property is liable to extended confiscation<input type="checkbox"/> property is subject to confiscation under any other provisions relating to powers of confiscation, including confiscation without a final conviction, under the law of the requesting State following proceedings in relation to a criminal offence

SECTION C: Affected persons

State all information, as far as known, regarding the identity of the (1) natural or (2) legal person(s) affected by the confiscation request (if more than one person is concerned, please provide the information for each person):

1. Natural person:

Name:

First name(s):

Other relevant name(s), if applicable:

Aliases, if applicable:

Sex:

Nationality:

Identity number or social security number:

Type and number of the identity document(s) (ID card, passport), if available:

Date of birth:

Place of birth:

Residence and/or known address; if address not known, state the last known address:

Language(s) which the person understands:

Please indicate whether this person has the confiscation request directed against him or her or owns the property that is covered by the confiscation request:

2. Legal person:

Name:

Form of legal person:

Shortened name, commonly used name or trading name, if applicable:

Registered seat:

Registration number:

Address of the legal person:

Name of the legal person's representative:

If different from the address above, please give the location where the confiscation request is to be carried out:

3. Third parties:

(i) Third parties whose rights in relation to the property that is covered by the confiscation request are directly prejudiced by the request (identity and grounds), if known/applicable:

(ii) In case third parties have had the opportunity to claim rights, attach documents demonstrating that this has been the case.

4. Provide any other information that will assist with the execution of the confiscation request:

SECTION D: Affected Property

State all information, as far as known, regarding the assets subject to the confiscation. Please provide details of all property and individual items where applicable:

1. If relating to amount of money:
 - (i) Grounds for believing that the person has property/income in the requested State:
 - (ii) Description and location of the property/source of income:
2. If the request concerns specific item(s) of property:
 - (i) Grounds for believing that the specific item(s) of property is/are located in the requested State:
 - (ii) Description and location of the specific item(s) of property:
3. Value of property:
 - (i) Total amount of request (approximate amount):
 - (ii) Total amount requested for execution in the requested State (approximate amount):
 - (iii) If specific type(s) of property, description and location of property:

SECTION E: Grounds for confiscation

Summary of the facts:

1. Set out the reasons why a confiscation order has been issued, including a summary of the underlying facts and grounds for confiscation, a description of offences, the reasons for any risk factors and any other relevant information (such as date, place and circumstances of the offence):

2. Nature and legal classification of the offence(s) in relation to which the confiscation order was issued and the applicable legal provision(s):

3. The following applies only in the case where both the requesting and requested State have made a notification under Article 670(2) of the Agreement: if applicable, tick one or more of the following offences, as defined by the law of the requesting State, punishable in the requesting State by a custodial sentence or detention order for a maximum period of at least three years. Where the confiscation order concerns several criminal offences, please indicate numbers in the list of criminal offences below (corresponding to the criminal offences as described under points 1 and 2 above):

- participation in a criminal organisation
- terrorism as defined in Annex 45
- trafficking in human beings
- sexual exploitation of children and child pornography
- illicit trafficking in narcotic drugs and psychotropic substances
- illicit trafficking in weapons, munitions and explosives
- corruption, including bribery
- fraud, including that affecting the financial interests of the United Kingdom, a Member State or the Union
- laundering of the proceeds of crime
- counterfeiting currency
- computer-related crime
- environmental crime, including illicit trafficking in endangered animal species and endangered plant species and varieties
- facilitation of unauthorised entry and residence
- murder
- grievous bodily injury

- illicit trade in human organs and tissue
- kidnapping, illegal restraint and hostage-taking
- racism and xenophobia
- organised or armed robbery
- illicit trafficking in cultural goods, including antiques and works of art
- swindling
- racketeering and extortion
- counterfeiting and piracy of products
- forgery of administrative documents and trafficking therein
- forgery of means of payment
- illicit trafficking in hormonal substances and other growth promoters
- illicit trafficking in nuclear or radioactive materials
- trafficking in stolen vehicles
- rape
- arson
- crimes within the jurisdiction of the International Criminal Court
- unlawful seizure of aircraft, ships or spacecraft
- sabotage

4. Any other relevant information (e.g. relation between the property and the criminal offence):

SECTION F: Confidentiality

- Need to maintain the information in the request or part of it confidential

Please indicate any relevant information:

SECTION G: Requests to more than one State

Where a confiscation request has been transmitted to more than one State, provide the following information:

1. A confiscation request has been transmitted to the following other State(s) (State and authority):
2. Reasons for transmitting confiscation request to multiple States (select appropriate reasons):
 - (i) If a request concerns specific items of property:
 - Different items of property covered by the request are believed to be located in different States
 - The confiscation request relates to a specific item of property and requires action in more than one State

(ii) If the confiscation request concerns an amount of money:

- The estimated value of the property which may be confiscated in the requesting State and in any one requested State is not likely to be sufficient to cover the full amount set out in the order
- Other specific needs:

3. Value of assets, if known, in each requested State:

4. If confiscation of the specific item(s) of property requires action in more than one State, description of the action to be taken in the requested State:

SECTION H: Conversion and transfer of property

1. If the confiscation request concerns a specific item of property, confirm whether the requesting State allows for the confiscation in the requested State to take the form of a requirement to pay a sum of money corresponding to the value of the property:

Yes

No

2. If the confiscation concerns an amount of money, state whether property, other than money obtained from the execution of the confiscation request, may be transferred to the requesting State:

Yes

No

SECTION I: Imprisonment in default or other measures restricting the liberty of a person

Please indicate whether the requesting State allows for the application by the requested State of imprisonment in default or other measures restricting the liberty of a person where it is not possible to execute the confiscation request, either wholly or partially:

Yes

No

SECTION J: Restitution or victim compensation

1. Please indicate, where relevant:

- An issuing authority or another competent authority of the requesting State has issued a decision to compensate the victim with, or retribute to the victim, the following sum of money:

- An issuing authority or another competent authority of the requesting State has issued a decision to retribute the following property other than money to the victim:

2. Details of the decision to retribute property to, or compensate, the victim:

Issuing authority (official name):

Date of the decision:

Reference number of the decision (if available):

Description of the property to be restituted or amount awarded in compensation:

Name of the victim:

Address of the victim:

SECTION K: Legal remedies

Please indicate if a legal remedy has already been sought against the issuing of a confiscation order, and if so please provide further details (description of the legal remedy, including necessary steps to take and deadlines):

SECTION L: Issuing Authority

Please provide details on the authority which issued the confiscation request in the requesting State:

1. Type of the issuing authority:

- judge, court, public prosecutor

- another competent authority designated by the requesting State

2. Contact details:

Official name of the issuing authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

Fax No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the issuing authority:

Signature of the issuing authority and/or its representative certifying the content of the Confiscation Request Form as accurate and correct:

Name:

Post held (title/grade):

Date:

Official stamp (if available):

SECTION M: Validating Authority

Please indicate the type of authority which has validated the Confiscation Request Form, if applicable:

- judge, court, public prosecutor
- another competent authority designated by the issuing State

Official name of the validating authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

Fax No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the competent authority:

SECTION N: Central Authority

Please indicate the central authority responsible for the administrative transmission and receipt of the Confiscation Request Form in the requesting State:

Official name of the central authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

Fax No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the competent authority:

SECTION O: Further information

1. Please indicate if the main contact point in the requesting State should be the:

- issuing authority
- competent authority
- central authority

2. If different from above, please provide the contact details of the person(s) to contact for additional information regarding this Confiscation Request Form:

Name/ Title/ Organisation:

Address:

E-mail/Contact Phone No:

SECTION P: Annexes

The original or duly authenticated copy of the confiscation order must be provided with the Confiscation Request Form.

IMPLEMENTATION OF THE FINANCIAL CONDITIONS

1. The Commission shall communicate to the United Kingdom, as soon as possible and at the latest on 16 April of the financial year, the following information for each Union programme, activity, or part thereof, in which the United Kingdom participates:
 - (a) the amounts in commitment appropriations in the Union budget definitively adopted for the year in question for the budget lines covering participation of the United Kingdom in accordance with the Protocol referred to in Article 710 of this Agreement and, if relevant, the amount of external assigned revenue appropriations that do not result from financial contribution from other donors on these budget lines;
 - (b) the amount of the participation fee referred to in Article 714(4) of this Agreement;
 - (c) from year N + 1 of implementation of a programme included in the Protocol referred to in Article 710 of this Agreement, the implementation of commitment appropriations corresponding to budgetary year N and the level of decommitment;

- (d) for programmes to which Article 716 of this Agreement applies, for the part of the programmes where such information is necessary to calculate the automatic correction, the level of commitments entered into in favour of United Kingdom entities broken down according to the corresponding year of budgetary appropriations and the related total level of commitments.

On the basis of its Draft Budget, the Commission shall provide an estimate of information under points (a) and (b) as soon as possible, and, at the latest, by 1 September of the financial year.

2. The Commission shall issue, at the latest on 16 April and on 16 July of each financial year, a call for funds to the United Kingdom that corresponds to the contribution of the United Kingdom under this Agreement for each of the programmes, activities, or parts thereof, in which the United Kingdom participates.
3. The United Kingdom shall pay the amount indicated in the call for funds at the latest 60 days after the call for funds is issued. The United Kingdom may make separate payments for each programme and activity.

4. By derogation from paragraphs 2 and 3, for the year 2021 in which the Protocol referred to in Article 710 of this Agreement is concluded, the Commission shall issue a call for funds at the latest on 16 April 2021 if the Protocol is signed on or before 31 March 2021, or at the latest on the 16th of the month following the month in which the Protocol was signed if it is signed after 31 March 2021. If that call for funds is issued after 16 July of the year in question, there shall be a single call for funds for this year. The United Kingdom shall pay the amount indicated in the call for funds at the latest 60 days after the call for funds is issued. The United Kingdom may make separate payments for each programme and activity.
5. The call for funds for a given year shall have the value established by dividing the annual amount calculated in application of Article 714 of this Agreement, including any adjustment under Article 714(8), Article 716 or 717 of this Agreement, by the number of calls for funds for that year pursuant to paragraphs 2 and 4 of this Annex.
6. By way of derogation from paragraph 5, in relation to the contribution to Horizon Europe for the multiannual financial framework 2021-2027, the call for funds for a given year N shall have the value established by dividing:
 - (a) the annual amount calculated
 - (i) by applying the following payment schedule for payments if year N is:
 - 2021: 50 % paid in 2021, 50 % paid in 2026
 - 2022: 50 % paid in 2022, 50 % paid in 2027

(ii) on the amount resulting from the application of Articles 714 and 716 of this Agreement, including any adjustment under Article 714(8) or Article 716 of this Agreement for that year N, by

(b) the number of calls for funds for that year N pursuant to paragraphs 2 and 4:

The application of this paragraph has no bearing on establishing the calculation of the automatic correction under Articles 716 and 721. For all the calculations of other amounts related to Part V of this Agreement, the annual contribution of the United Kingdom shall take into account this paragraph .

7. Where the participation of the United Kingdom is terminated pursuant to Article 719 or Article 720 of this Agreement any payments in relation to the period before the termination takes effect, which were postponed in accordance with paragraph 6 of this Annex, shall become due. The Commission shall issue a call for funds in relation to the amount due at the latest one month after the termination takes effect. The United Kingdom shall pay this due amount within 60 days of the issue of the call for funds.
8. The Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council¹ ("Financial Regulation") applicable to the general budget of the European Union shall apply to the management of the appropriations.

¹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ EU L 193, 30.7.2018, p. 1).

9. In the absence of payment by the United Kingdom by the due date, the Commission shall send a formal letter of reminder.

Any delay in the payment of the contribution shall give rise to the payment of default interest by the United Kingdom on the outstanding amount as from the due date until the day on which that outstanding amount is paid in full.

The interest rate for amounts receivable but not paid on the due date shall be the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the *Official Journal of the European Union*, in force on the first day of the month in which the due date falls, or 0 per cent, whichever is higher, plus three and a half percentage points.

RULES OF PROCEDURE FOR DISPUTE SETTLEMENT

I. Definitions

1. For the purposes of Title I of Part Six of this Agreement and of these Rules of Procedure, the following definitions apply:
 - (a) "administrative staff", in respect of an arbitrator, means individuals under the direction and control of an arbitrator, other than assistants;
 - (b) "adviser" means an individual retained by a Party to advise or assist that Party in connection with the arbitration proceedings;
 - (c) "arbitration tribunal" means a tribunal established under Article 740 of this Agreement;
 - (d) "arbitrator" means a member of the arbitration tribunal;
 - (e) "assistant" means an individual who, under the terms of appointment and under the direction and control of an arbitrator, conducts research or provides assistance to that arbitrator;

- (f) "complaining Party" means any Party that requests the establishment of an arbitration tribunal under Article 739 of this Agreement;
- (g) "registry" means an external body with relevant expertise appointed by the Parties to provide administrative support for the proceedings;
- (h) "respondent Party" means the Party that is alleged to be in violation of the covered provisions; and
- (i) "representative of a Party" means an employee or any individual appointed by a government department, agency or any other public entity of a Party who represents the Party for the purposes of a dispute under this Agreement or any supplementing agreement.

II. Notifications

- 2. Any request, notice, written submission or other document of:
 - (a) the arbitration tribunal shall be sent to both Parties at the same time;
 - (b) a Party, which is addressed to the arbitration tribunal, shall be copied to the other Party at the same time; and
 - (c) a Party, which is addressed to the other Party, shall be copied to the arbitration tribunal at the same time, as appropriate.

3. Any notification referred to in rule 2 shall be made by e-mail or, where appropriate, any other means of telecommunication that provides a record of the sending thereof. Unless proven otherwise, such notification shall be deemed to be delivered on the date of its sending.
4. All notifications shall be addressed to the Legal Service of the European Commission and to the Legal Adviser of the Foreign, Commonwealth & Development Office of the United Kingdom, respectively.
5. Minor errors of a clerical nature in a request, notice, written submission or other document related to the arbitration tribunal proceedings may be corrected by delivery of a new document clearly indicating the changes.
6. If the last day for delivery of a document falls on a non-working day of the institutions of the Union or of the government of the United Kingdom, the time period for the delivery of the document shall end on the first following working day.

III. Appointment of arbitrators

7. If pursuant to Article 740 of this Agreement, an arbitrator is selected by lot, the co-chair of the Partnership Council of the complaining Party shall promptly inform the co-chair of the respondent Party of the date, time and venue of the lot. The respondent Party may, if it so chooses, be present during the lot. In any event, the lot shall be carried out with the Party or Parties that are present.

8. The co-chair of the complaining Party shall notify, in writing, each individual who has been selected to serve as an arbitrator of his or her appointment. Each individual shall confirm his or her availability to both Parties within five days from the date on which he or she was informed of his or her appointment.

9. The co-chair of the Partnership Council of the complaining Party shall select by lot the arbitrator or chairperson, within five days from the expiry of the time period referred to in Article 740(2) of this Agreement, if any of the sub-lists referred in Article 752(1) of this Agreement:
 - (a) is not established, amongst those individuals who have been formally proposed by one or both Parties for the establishment of that particular sub-list; or

 - (b) no longer contains at least five individuals, amongst those individuals who remain on that particular sub-list.

10. The Parties may appoint a registry to assist in the organisation and conduct of specific dispute settlement proceedings on the basis of ad-hoc arrangements or on the basis of arrangements adopted by the Partnership Council pursuant to Article 759 of this Agreement. To that end, the Partnership Council shall consider no later than 180 days after the entry into force of this Agreement whether there are any necessary amendments to these Rules of Procedure.

IV. Organisational Meeting

11. Unless the Parties agree otherwise, they shall meet the arbitration tribunal within seven days of its establishment in order to determine such matters that the Parties or the arbitration tribunal deem to be appropriate, including:
- (a) if not determined earlier, the remuneration and expenses to be paid to the arbitrators, which shall in any case be in accordance with WTO standards;
 - (b) the remuneration to be paid to assistants; the total amount of the remuneration of an assistant or assistants of each arbitrator shall not exceed 50 % of the remuneration of that arbitrator;
 - (c) the timetable of the proceedings; and
 - (d) ad-hoc procedures to protect confidential information.

Arbitrators and representatives of the Parties may take part in this meeting via telephone or video conference.

V. Written Submissions

12. The complaining Party shall deliver its written submission no later than 20 days after the date of establishment of the arbitration tribunal. The respondent Party shall deliver its written submission no later than 20 days after the date of delivery of the written submission of the complaining Party.

VI. Operation of the arbitration tribunal

13. The chairperson of the arbitration tribunal shall preside at all its meetings. The arbitration tribunal may delegate to the chairperson the authority to make administrative and procedural decisions.
14. Unless otherwise provided in Title I of Part Six of this Agreement or in these Rules of Procedure, the arbitration tribunal may conduct its activities by any means, including telephone, facsimile transmissions or computer links.
15. Only arbitrators may take part in the deliberations of the arbitration tribunal, but the arbitration tribunal may permit their assistants to be present at its deliberations.
16. The drafting of any ruling, decision and report shall remain the exclusive responsibility of the arbitration tribunal and shall not be delegated.
17. Where a procedural question arises that is not covered by Title I of Part Six of this Agreement and its Annexes, the arbitration tribunal, after consulting the Parties, may adopt an appropriate procedure that is compatible with those provisions.
18. When the arbitration tribunal considers that there is a need to modify any of the time periods for the proceedings other than the time periods set out in Title I of Part Six of this Agreement or to make any other procedural or administrative adjustment, it shall inform the Parties, in writing and after consultation of the Parties, of the reasons for the change or adjustment and of the time period or adjustment needed.

VII. Replacement

19. When a Party considers that an arbitrator does not comply with the requirements of Annex 49 and for that reason should be replaced, that Party shall notify the other Party within 15 days from when it obtained sufficient evidence of the arbitrator's alleged failure to comply with the requirements of that Annex.
20. The Parties shall consult within 15 days of the notification referred to in rule 19. They shall inform the arbitrator of his or her alleged failure and they may request the arbitrator to take steps to ameliorate the failure. They may also, if they so agree, remove the arbitrator and select a new arbitrator in accordance with Article 740 of this Agreement.
21. If the Parties fail to agree on the need to replace the arbitrator, other than the chairperson of the arbitration tribunal, either Party may request that this matter be referred to the chairperson of the arbitration tribunal, whose decision shall be final.

If the chairperson of the arbitration tribunal finds that the arbitrator does not comply with the requirements of Annex 49, the new arbitrator shall be selected in accordance with Article 740 of this Agreement.

22. If the Parties fail to agree on the need to replace the chairperson, either Party may request that this matter be referred to one of the remaining members of the pool of individuals from the sub-list of chairpersons established under Article 752 of this Agreement. His or her name shall be drawn by lot by the co-chair of the Partnership Council from the requesting Party, or the chair's delegate. The decision by the selected person on the need to replace the chairperson shall be final.

If this person finds that the chairperson does not comply with the requirements of Annex 49, the new chairperson shall be selected in accordance with Article 740 of this Agreement.

VIII. Hearings

23. On the basis of the timetable determined pursuant to rule 11, after consulting with the Parties and the other arbitrators, the chairperson of the arbitration tribunal shall notify the Parties of the date, time and venue of the hearing. That information shall be made publicly available by the Party in which the hearing takes place, unless the hearing is closed to the public.
24. Unless the Parties agree otherwise, the hearing shall be held in London if the complaining Party is the Union and in Brussels if the complaining Party is the United Kingdom. The respondent Party shall bear the expenses derived from the logistical administration of the hearing.
25. The arbitration tribunal may convene additional hearings if the Parties so agree.
26. All arbitrators shall be present during the entirety of the hearing.
27. Unless the Parties agree otherwise, the following persons may attend the hearing, irrespective of whether the hearing is open to the public or not:
 - (a) representatives of a Party;
 - (b) advisers;

- (c) assistants and administrative staff;
- (d) interpreters, translators and court reporters of the arbitration tribunal; and
- (e) experts, as decided by the arbitration tribunal pursuant to Article 751(2) of this Agreement.

28. No later than five days before the date of a hearing, each Party shall deliver to the arbitration tribunal and to the other Party a list of the names of persons who will make oral arguments or presentations at the hearing on behalf of that Party and of other representatives and advisers who will be attending the hearing.
29. The arbitration tribunal shall conduct the hearing in the following manner, ensuring that the complaining Party and the respondent Party are afforded equal time in both argument and rebuttal argument:

Argument

- (a) argument of the complaining Party;
- (b) argument of the respondent Party.

Rebuttal Argument

- (a) reply of the complaining Party;

(b) counter-reply of the respondent Party.

30. The arbitration tribunal may direct questions to either Party at any time during the hearing.
31. The arbitration tribunal shall arrange for a transcript of the hearing to be prepared and delivered to the Parties as soon as possible after the hearing. The Parties may comment on the transcript and the arbitration tribunal may consider those comments.
32. Each Party may deliver a supplementary written submission concerning any matter that arises during the hearing within 10 days after the date of the hearing.

IX. Questions in Writing

33. The arbitration tribunal may at any time during the proceedings submit questions in writing to one or both Parties. Any questions submitted to one Party shall be copied to the other Party.
34. Each Party shall provide the other Party with a copy of its responses to the questions submitted by the arbitration tribunal. The other Party shall have an opportunity to provide comments in writing on the Party's responses within five days after the delivery of such copy.

X. Confidentiality

35. Each Party and the arbitration tribunal shall treat as confidential any information submitted by the other Party to the arbitration tribunal that the other Party has designated as confidential. When a Party submits to the arbitration tribunal a written submission which contains confidential information, it shall also provide, within 15 days, a submission without the confidential information which shall be disclosed to the public.
36. Nothing in these Rules of Procedure shall preclude a Party from disclosing statements of its own positions to the public to the extent that, when making reference to information submitted by the other Party, it does not disclose any information designated by the other Party as confidential.
37. The arbitration tribunal shall hold the relevant parts of the session in private when the submission and arguments of a Party contains confidential information. The Parties shall maintain the confidentiality of the arbitration tribunal hearings when the hearings are held in closed session.

XI. *Ex parte* contacts

38. The arbitration tribunal shall not meet or communicate with a Party in the absence of the other Party.
39. An arbitrator shall not discuss any aspect of the subject matter of the proceedings with a Party or both Parties in the absence of the other arbitrators.

XII. *Amicus curiae* submissions

40. Unless the Parties agree otherwise within five days of the date of the establishment of the arbitration tribunal, the arbitration tribunal may receive unsolicited written submissions from natural persons of a Party or legal persons established in the territory of a Party that are independent from the governments of the Parties, provided that they:
- (a) are received by the arbitration tribunal within 10 days of the date of the establishment of the arbitration tribunal;
 - (b) are concise and in no case longer than 15 pages, including any annexes, typed at double space;
 - (c) are directly relevant to a factual or a legal issue under consideration by the arbitration tribunal;
 - (d) contain a description of the person making the submission, including for a natural person his or her nationality and for a legal person its place of establishment, the nature of its activities, its legal status, general objectives and its source of financing;
 - (e) specify the nature of the interest that the person has in the arbitration proceedings; and
 - (f) are drafted in English.

41. The submissions shall be delivered to the Parties for their comments. The Parties may submit comments, within 10 days of the delivery, to the arbitration tribunal.
42. The arbitration tribunal shall list in its report all the submissions it has received pursuant to rule 40. The arbitration tribunal shall not be obliged to address in its report the arguments made in such submissions, however, if it does, it shall also take into account any comments made by the Parties pursuant to rule 41.

XIII. Urgent cases

43. In cases of urgency referred to in Article 744 of this Agreement, the arbitration tribunal, after consulting the Parties, shall adjust, as appropriate, the time periods referred to in these Rules of Procedure. The arbitration tribunal shall notify the Parties of such adjustments.

XIV. Translation and interpretation

44. The language of proceedings before the arbitration tribunal shall be English. Rulings, reports and decisions of the arbitration tribunal shall be issued in English.
45. Each party shall bear its own costs of the translation of any documents submitted to the arbitration tribunal which are not originally drafted in English, as well as any costs relating to interpretation during the hearing related to its representatives or advisers.

XV. Other Procedures

46. The time periods laid down in these Rules of Procedure shall be adjusted in accordance with the special time periods provided for the adoption of a report or decision by the arbitration tribunal in the proceedings provided for in Articles 747 to 750 of this Agreement.

CODE OF CONDUCT FOR ARBITRATORS

I. Definitions

1. For the purposes of this Code of Conduct, the following definitions apply:
 - (a) "administrative staff" means, in respect of an arbitrator, individuals under the direction and control of an arbitrator, other than assistants;
 - (b) "arbitrator" means a member of an arbitration tribunal;
 - (c) "assistant" means an individual who, under the terms of appointment of an arbitrator, conducts research or provides assistance to that arbitrator; and
 - (d) "candidate" means an individual whose name is on a list of arbitrators referred to in Article 752 of this Agreement or who is under consideration for selection as an arbitrator under Article 740 of this Agreement.

II. Governing Principles

2. In order to preserve the integrity and impartiality of the dispute settlement mechanism, each candidate and arbitrator shall:
 - (a) get acquainted with this Code of Conduct;
 - (b) be independent and impartial;
 - (c) avoid direct or indirect conflicts of interest;
 - (d) avoid impropriety and the appearance of impropriety or bias;
 - (e) observe high standards of conduct; and
 - (f) not be influenced by self-interest, outside pressure, political considerations, public clamour, and loyalty to a Party or fear of criticism.
3. An arbitrator shall not, directly or indirectly, incur any obligation or accept any benefit that would in any way interfere, or appear to interfere, with the proper performance of his or her duties.
4. An arbitrator shall not use his or her position on the arbitration tribunal to advance any personal or private interests. An arbitrator shall avoid actions that may create the impression that others are in a special position to influence him or her.

5. An arbitrator shall not allow past or existing financial, business, professional, personal, or social relationships or responsibilities to influence his or her conduct or judgement.
6. An arbitrator shall avoid entering into any relationship or acquiring any financial interest that is likely to affect his or her impartiality or that might reasonably create an appearance of impropriety or bias.

III. Disclosure obligations

7. Prior to the acceptance of his or her appointment as an arbitrator under Article 740 of this Agreement, a candidate requested to serve as an arbitrator shall disclose any interest, relationship or matter that is likely to affect his or her independence or impartiality or that might reasonably create an appearance of impropriety or bias in the proceedings. To that end, a candidate shall make all reasonable efforts to become aware of any such interests, relationships and matters, including financial interests, professional interests, or employment or family interests.
8. The disclosure obligation under paragraph 7 is a continuing duty which requires an arbitrator to disclose any such interests, relationships or matters that may arise during any stage of the proceedings.
9. A candidate or an arbitrator shall communicate to the Partnership Council for consideration by the Parties any matters concerning actual or potential violations of this Code of Conduct at the earliest time he or she becomes aware of them.

IV. Duties of Arbitrators

10. Upon acceptance of his or her appointment, an arbitrator shall be available to perform and shall perform his or her duties thoroughly and expeditiously throughout the proceedings, and with fairness and diligence.
11. An arbitrator shall consider only the issues raised in the proceedings and which are necessary for a decision and shall not delegate that duty to any other person.
12. An arbitrator shall take all appropriate steps to ensure that his or her assistants and administrative staff are aware of, and comply with, the obligations incurred by arbitrators under Parts II, III, IV and VI of this Code of Conduct.

V. Obligations of Former Arbitrators

13. Each former arbitrator shall avoid actions that may create the appearance that he or she was biased in carrying out the duties or derived advantage from the decision of the arbitration tribunal.
14. Each former arbitrator shall comply with the obligations in Part VI of this Code of Conduct.

VI. Confidentiality

15. An arbitrator shall not, at any time, disclose any non-public information concerning the proceedings or acquired during the proceedings for which he or she has been appointed. An arbitrator shall not, in any case, disclose or use such information to gain personal advantage or advantage for others or to adversely affect the interests of others.

16. An arbitrator shall not disclose a decision of the arbitration tribunal or parts thereof prior to its publication in accordance with Title I of Part Six of this Agreement.
17. An arbitrator shall not, at any time, disclose the deliberations of an arbitration tribunal, or any arbitrator's view, nor make any statements on the proceedings for which he or she has been appointed or on the issues in dispute in the proceedings.

VII. Expenses

18. Each arbitrator shall keep a record and render a final account of the time devoted to the proceedings and of his or her expenses, as well as the time and expenses of his or her assistants and administrative staff.
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