L.N. 230 of 2023

AUTHORITY FOR TRANSPORT IN MALTA ACT (CAP. 499)

Posting of Drivers in Malta (Amendment No. 2) Regulations, 2023

IN EXERCISE of the powers conferred by article 43 of the Authority for Transport in Malta Act, the Minister responsible for transport, after consultation with the Authority for Transport in Malta, has made the following regulations:-

Citation and scope.

S.L. 499.72.

1. (1) The title of these regulations is the Posting of Drivers in Malta (Amendment No. 2) Regulations, 2023 and these regulations shall be read and construed as one with the Posting of Drivers in Malta Regulations, hereinafter referred to as "the principal regulations".

(2) The scope of these regulations is to partially transpose the provisions of Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012.

Amends regulation 8 of the principal regulations.

2. Regulation 8 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, immediately after the words "factual controls at the workplace" there shall be added the words "and be saved in the IMI repository for a period of twenty four (24) months".

(b) in the proviso to sub-regulation (4) thereof, the words "driver under these regulations." shall be substituted by words "driver under these regulations:" and immediately after there shall be added the following new proviso:

"Provided further that the competent authority in Malta and any authorised inspecting officer shall avoid undue delay in the implementation of control measures which may affect the duration and dates of posting, and shall do so through compliance with the *Standard Operation Procedure for Road-Side Enforcement of Transport Operations Involving Cross-Border Operations* published by the Authority from time to time.".

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Amends Regulation 8A of the principal regulations.

3. In sub-regulation (1) of regulation 8A of the principal regulations, immediately after the words "competent authority in Malta shall cooperate" there shall be added the words "with the Authority".

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — ***Printed at the Government Printing Press on recycled paper***

Prezz/*Price*
€0.18