Ir-regolament 2: Iżid subregolament (8) ġdid għar-regolament 84, li jimponi obbligu fuq Transport Malta sabiex tiżgura li tiġi applikata strateġija ta' infurzar nazzjonali koerenti fit-territorju ta' Malta, liema strateġija għandha tiffoka fuq impriżi bi grad ta' riskju għoli taħt is-sistema ta' klassifika tar-riskji, imsemmija fl-istess regolament.

5. Konklużjoni

Dawn ir-regolamenti għandhom jidħlu fis-seħħ mal-pubblikazzjoni tagħhom fil-Gazzetta.

Għal aktar informazzjoni jew kjarifiki fuq l-implimentazzjoni ta' dawn ir-regolamenti, jekk jogħġbok irreferi l-mistoqsijiet tiegħek lil Transport Malta permezz ta' email fuq l-indirizz elettroniku (info.tm@transport.gov.mt).

N.B. Dawn in-Noti ta' Spjegazzjoni mhumiex maħsuba biex ikunu deskrizzjoni eżawrjenti tal-istrument legali u lanqas sostitut tiegħu jew suppliment leġiżlattiv għall-istess. Dawn in-Noti mhumiex intiżi bħala deċiżjoni awtorevoli fuq l-interpretazzjoni tal-leġiżlazzjoni.

Noti ta' Traspożizzjoni għall-fini tal-paragrafu (vi) tat-Tielet Skeda tal-Kapitolu 512 tal-Liġijiet ta' Malta	
Direttiva 2020/1057	**Regolamenti dwar il-Ġarr Stradali ta' Merkanzija b'Vetturi bil-Mutur(L.S. 65.19)**
Artikolu 6	Iż-żieda ta' subregolament ġdid (8) fir-regolament 84

Il-21 ta' Lulju, 2023

No. 1017

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

Explanatory Notes[1]

Motor Vehicles (Carriage of Goods by Road) (Amendment) Regulations, 2023

By means of the Motor Vehicles (Carriage of Goods by Road) (Amendment) Regulations, 2023 (hereinafter referred to as "the regulations"), the Authority for Transport in Malta (hereinafter referred to as "Transport Malta") has partially transposed 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 (hereinafter referred to as "the amending Directive"), into national legislation. These regulations transpose Article 6 of the amending Directive, given that Directive 2006/22/EC was amended, and this needed to be mirrored in national legislation.

2. Summary and background

The regulations introduced amendments to Part IX – "Inspections" to the Motor Vehicles (Carriage of Goods by Road) Regulations, (S.L. 65.19). The main amendments to these regulations relate to random checks carried out at the roadside,

[1]These Explanatory Notes are for the purpose of and in accordance with Article 3(2)(c) and Schedule III of Chapter 512 of the Laws of Malta.

quayside or at the premises of the relevant undertaking, on the compliance of the international hauliers carrying out international carriage of goods by road, particularly for the purposes of and in accordance with Directive 2006/22/EC and its subsequent amendments, including those implemented by the amending Directive.

These regulations particularly impose an administrative obligation on Malta, through Transport Malta, to enforce a coherent national enforcement strategy which is applicable in the territory of Malta, focusing on undertakings with a high risk rating under the risk rating system.

3. Overview of the structure of the instrument

The Motor Vehicles (Carriage of Goods by Road) (Amendment) Regulations, 2023 is made up of two (2) regulations and consist of the following:

Regulation 1 – Citation and scope.

Regulation 2 - Amends regulation 84 of the principal regulations.

4. Commentary

Regulation 1: Introduces the title of the regulations being the Motor Vehicles (Carriage of Goods by Road) (Amendment) Regulations, 2023. This regulation further explains the scope of the regulations, being the transposition of Article 6 of the amending Directive.

Regulation 2: Adds a new sub-regulation (8) to regulation 84, imposing an obligation on Transport Malta to ensure that a coherent national enforcement strategy is applied in the territory of Malta, which strategy shall focus on undertakings with ahigh risk rating under the risk rating system, referred to in the same regulation.

5. Conclusion

These regulations shall come into force upon their publication in the Gazette.

For more information or clarifications on the implementation of these regulations, please refer your queries to Transport Malta via email on (info.tm@transport.gov.mt).

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

Transposition Notes for the purpose of paragraph (vi) of Schedule III of Chapter 512 of the Laws of Malta	
Directive 2020/1057	**Motor Vehicles (Carriage of Goods by Road) Regulations (S.L. 65.19)**
Article 6	The addition of new sub-regulation (8) to regulation 84

21st July, 2023