



An Roinn Iompair  
Turasóireachta agus Spóirt

Department of Transport,  
Tourism and Sport

Licence Applications must be returned to:

Road Transport Operator Licensing Unit  
Department of Transport, Tourism and Sport  
Clonfert House, Bride Street, Loughrea, Co. Galway

## **A Guide to Road Haulage Operator Licensing**

### **Please read this guide before completing the Licence Application Form.**

This is a guide only and as such does not attempt to cover every issue in relation to your application for a Road Haulage Operator's Licence. It does not purport to be a legal interpretation of the relevant legislation.

#### **INTRODUCTION**

This Guide contains information to help you decide whether you need a Road Haulage Operator's Licence, what that licence would entitle you to do, and how to go about qualifying and applying for a licence. Licences are issued by the Minister for Transport, Tourism and Sport, under section 2 of the Road Traffic and Transport Act 2006 for five years. The main other legislation governing this sector is the Road Transport Act 2011, the EU Regulation No. 1071/2009, and Statutory Instrument No. 697 of 2011. These are available on the Department's website at [www.dttas.ie](http://www.dttas.ie). A full list of all the relevant legislation is available from the Department on request.

#### **WHO NEEDS A ROAD HAULAGE OPERATOR'S LICENCE?**

In general, you need a Road Haulage Operator's Licence if you are carrying goods for hire or reward in a vehicle or combination of vehicles the maximum authorised weight of which is in excess of 3.5 (metric) tonnes.

"Hire or Reward" haulage arises when you are paid for carrying someone else's goods. If you do only own account work, i.e. carriage of your own goods in your own vehicles driven by yourself or your employees, or in the delivery of goods to a customer who has bought those goods from you, then you do not need a Road Haulage Operator's Licence.

#### **EXEMPTIONS**

If you propose to carry any of the following commodities in this State only (that is, within Ireland), a Road Haulage Operator's Licence is not required for that carriage only:

- cattle, sheep, pigs, turf;
- live animals farms to local markets and vice versa or from markets to local slaughter-houses;
- milk to a creamery or a cream separating station;
- separated milk from a creamery or cream separating station;
- milk containers to or from a creamery or a cream separating station;
- newly harvested wheat, oats or barley during the period 1 August to 30 November each year from a farm to a place of storage, assembly or processing.

You **must** hold an International Road Haulage Operator's Licence and "Community Licence" if you wish to carry any of these commodities outside this State.

Other kinds of haulage operation are also exempted, and these can be found in the schedule to the Road Transport Act 2011, a copy of which can be found on the Department's website at [www.dttas.ie](http://www.dttas.ie). If you ever carry other goods for hire or reward, you may need a licence. Consult the Department if in any doubt about whether you need a licence or not (contact details are on page 5 of this Guide).

## **REQUIREMENTS IN ORDER TO OBTAIN A ROAD HAULAGE OPERATOR'S LICENCE**

Applicants must: -

- have an establishment in the State
- be of good repute
- satisfy professional competence, and
- be of appropriate financial standing.

These are EU requirements and they must continue to be satisfied at all times for the five-year duration of the Road Haulage Operator's Licence. Failure to satisfy any or all of them can lead to the withdrawal or suspension of your Operator's Licence, Community Licence, or other vehicle documentation.

### **Section by section Guide to filling in your application form**

**General** – fill in all parts of the application form. Please use BLOCK CAPITALS. All information provided must be true and accurate. Advice on certain parts of the form follows below:

#### **Section 1 – Type of Licence required**

**1A** – In this section, you must indicate whether you want a National or International licence. If your Transport Manager (TM) has a National Certificate of Professional Competence (CPC) only, then you may only apply for a National licence. If your TM has an International CPC, then you may apply for a National or International licence.

All applications are for five year licences. However, shorter licence validity may be imposed where the Minister deems that to be appropriate. The period of validity of the licence is stated on it when granted.

A **NATIONAL** Road Haulage Operator's Licence entitles you to carry on a haulage business within this State only.

An **INTERNATIONAL** Road Haulage Operator's Licence is issued with a "Community Licence" and a certified true copy of the Community Licence for each vehicle authorised on the licence. It entitles you to operate in this State, Northern Ireland, Britain and both within and between all the Member States of the European Union.

**1B** – If the applicant has had a previous licence, indicate the licence number here.

#### **Section 2 – Applicant Details**

**2A** – Please write the name of the applicant. This is the name that will appear on the Licence. ***Where the applicant is a company, the full name of the company, as it appears on the company's Certificate of Incorporation, must be used.*** Do not write in the name of the director, company secretary, etc., who is completing the form, as the licence may issue in that person's name. Please note that all vehicle documents (registration, tax, insurance, etc.) must be in the full name of the applicant (the sole exception is where the applicant is a partnership – in this case, the vehicles will normally show the name of just one partner). The Department will be checking these and any differences will cause a delay in your application.

**2B** – Insert the normal business address of the applicant, where the applicant would keep its core business documents, in particular its accounting documents, personnel management documents, documents containing data relating to driving time and rest and any other document to which the Minister or the Road Safety Authority must have access in order to verify compliance with licensing requirements or with road safety rules. In general, this is the address where the company would be established, and should be within the State.

**2C** – If there is a separate registered address, this should be stated here.

**2D** – This should state the main base where the vehicles are normally based. If there are a number of bases where vehicles are kept, these can be written on a separate page, signed and dated by the applicant, and enclosed with the application. Operators are required to have suitable operating and parking facilities for all of their vehicles.

#### **Section 3 – Details of Sole Trader, Directors and others in the firm**

Please ensure you fill in all of the details for each person, including Personal Public Service Number (PPSN) and Date of Birth. If any person does not have a PPSN, these can be readily obtained from the Department of Social Protection. Applications where the PPSN or date of birth is missing will be delayed, and may be refused. Non-

resident directors, partners, etc., can obtain a PPSN from the Department of Social Protection, and must do so for the purposes of this application.

- **Sole traders** - Where the applicant is a sole trader, that person should fill in the appropriate details in 3A.
- **Companies** - Where the applicant is a company, then fill in the appropriate details in 3A, 3B, etc., for the company secretary and for each director.
- **Cooperatives** - Where the applicant is a cooperative, then fill in the appropriate details in 3A, 3B, etc., for the secretary and all member of the committee of management.
- **Partnerships** – Where the applicant is a partnership, then fill in the appropriate details in 3A, 3B, etc., for each partner.

If there are more than four directors, member of the committee of management, or partners, etc., then the details for them can be written on a separate page, signed and dated by the applicant, and enclosed with the application. If the Secretary for the firm is itself a company, then contact details for that company must be provided. The directors of that company will be required to comply with good repute, and may need to be vetted by the Department.

The “Position in firm” can be Director, Sole Trader, Member of the Committee of Management, Partner, etc.

#### **Section 4 – Vehicles to be used under the Licence**

Every vehicle or combination of vehicles which has a maximum authorised weight in excess of 3.5 (metric) tonnes, and which is to be used under the licence for carrying goods for hire and reward, must be declared in this section of the application form. All of the vehicle documents for each vehicle must be in the full and proper name of the applicant (the sole exception is where the applicant is a partnership – in this case, the vehicles will normally show the name of just one partner). Each vehicle must be currently taxed, be insured for hire and reward, and have a valid tachograph calibration certificate and certificate of roadworthiness.

It is an offence to operate any vehicle with a maximum authorised weight in excess of 3.5 (metric) tonnes for the carriage of goods for hire and reward unless it is appropriately authorised on a Road Haulage Operator’s Licence. The maximum penalty for such an offence is a fine of €500,000 and 3 years in prison.

#### **Section 5 – Transport Manager Details**

To comply with the requirement of professional competence there must be at least one person in the road haulage operator business who holds a Certificate of Professional Competence in Road Haulage Operations in order to be qualified to act as Transport Manager. A Transport Manager is a person who:

- (a) holds an appropriate Certificate of Professional Competence,
- (b) is of good repute and over 18 years of age, and
- (c) is designated by notice in writing to the Minister.

In the case of a sole trader, that person may hold the certificate. In the case of a partnership the certificate may be held by one of the partners. In the case of a company the certificate may be held by one of the directors. In the case of a co-operative the certificate can be held by one of the committee of management. Where none of the above persons holds a Certificate of Professional Competence, a Transport Manager must be employed to satisfy the requirement of professional competence.

The Transport Manager must also be engaged to continuously and effectively manage the transport operations of the haulage operation, have a genuine link to the operator, such as being an employee, director, owner or shareholder of it, or is administering it, or, if the operator is an individual person, is that person. The Transport Manager must also be resident in the EU. Where Transport Managers are non-residents of the State, the distance from the transport business to their place of residence will be considered to decide if they are in a position to meet the responsibilities of the job. Transport Managers are permitted to be designated as Transport Manager for up to four transport operators as long as the total number of vehicles being managed does not exceed 50.

A Transport Manager is also allowed to engage in other work outside the transport business where the number of vehicles being managed is less than 50. The amount of time that can be worked outside the transport firm will depend on the total number of vehicles being managed. Cases involving outside employment will be decided on an individual basis taking into account the maximum working time allowed under working time legislation and compliance with EU requirements.

Examinations in Professional Competence are organised by the Chartered Institute of Logistics and Transport in Ireland, who can be contacted for information about course providers throughout the country at [www.cilt.ie](http://www.cilt.ie), or at 1 Fitzwilliam Place, Dublin 2, or by telephone at (01) 676 3188 or Lo-Call 1890-25-25-99.

**5F and 5G** – The Transport Manager’s PPSN and date of birth must be inserted there. If the Transport Manager does not have a PPSN, one can be readily obtained from the Department of Social Protection. Applications where the PPSN or date of birth is missing will be delayed, and may be refused. Non-resident Transport Managers can obtain a PPSN from the Department of Social Protection, and must do so for the purposes of this application.

**5K, 5L, 5M and 5N** – Where a Transport Manager is or intends to be the Transport Manager for more than one transport operation and/or engage in other work outside the transport business, this should be indicated in the application form in questions 5K, 5L, 5M and 5N as appropriate.

### **Section 6 – Good Repute**

The applicant for the licence and every relevant person must declare in section 6 of the application form if any relevant offences (see list of relevant offences in **Note A**, attached) have been recorded against them in the period referred to in that Note, and in any jurisdiction. See below for a definition of “relevant person”. A Garda Vetting Form is enclosed with the Application Form and must accompany the application in respect of each relevant person. Please make additional copies of the vetting form as required.

Where the applicant is a company or a co-operative, all relevant convictions must be declared in the application form in section 6, but a Garda Vetting Form need not be completed for the company or co-operative itself.

“Relevant person” means: -

- the applicant, where the applicant is an individual;
- each of the partners, where the applicant is a partnership;
- the company secretary and all company directors, where the applicant is a company;
- the secretary and all member of the committee of management, where the applicant is a cooperative;
- the Transport Manager, where he/she is not one of the above.

**Any failure to provide full information regarding good repute is a serious offence, and may lead to the application being refused. Every person who fails to provide full information, or who provides false or misleading information, is liable on prosecution to a maximum fine of up to €500,000 and/or up to 3 years in prison.**

The Garda Vetting Form may be used for the purposes of checking or assessing the good repute of the operator or any relevant person at any time during the period of validity of the licence. Information on convictions or good repute received by the Department will be held in confidence and for a minimum of ten years.

Where any relevant person, at any time during the currency of the licence, is convicted of a relevant offence or commits an infringement listed in **Note A**, these must be notified to the Minister within one month of that occurrence.

### **Section 7 – Financial Standing**

An applicant must have sufficient financial resources of at least €9,000 for the first vehicle, and €5,000 for each additional vehicle, to be authorised for use under the Road Haulage Operator's Licence. Applicants must also be the holder of a current Tax Clearance Certificate issued by the Revenue Commissioners.

To demonstrate financial standing, you must enclose one of the following with your application:

- **a copy of an accountant’s report**, certified by an accountant, auditor or accounting technician. This should include either a balance sheet (statement of financial position) or a statement of affairs, or a letter or statement signed off by an accountant, showing that the applicant has sufficient financial resources. See Note B for examples of acceptable formats of accountant’s reports.
- **a bank guarantee**, signed by a bank manager or equivalent, or

- **Some other certificate from a financial institution** providing a “joint and several guarantee” that the applicant has sufficient financial resources of at least €9,000 for the first vehicle, and €5,000 for each additional vehicle, to be authorised for use under the Road Haulage Operator's Licence.

Financial standing must be met by the applicant in Ireland and not by any other undertaking (including parent organisations) in Ireland or in another Member State.

### **Section 8 – Fees**

The full fee must accompany each application. The full fee includes both the standing fee and the additional fee per vehicle to be authorised on the licence. The full fee is paid for the consideration of the application, and is not refundable if the licence is not granted. Fees may be paid by cheque, bank draft or postal order (made payable to the Department of Transport, Tourism and Sport).

National Licence fee: A standing fee of €69.84, plus a fee of €95.23 for every vehicle to be authorised on the Licence

- **Example** – for a National licence application with 3 vehicles, the fee is €69.84 plus (€95.23 X 3) = €355.53 in total

International Licence fee: A standing fee of €69.84, plus a fee of €228.55 for every vehicle to be authorised on the Licence

- **Example** – for an International licence application with 5 vehicles, the fee is €69.84 plus (€228.55 X 5) = €1,212.59 in total

### **Section 9 – Conditions of Application**

This section sets out the main conditions under which the application is made. In addition, every appropriate legal requirement in Irish or European legislation that governs access to the occupation or market in relation to road haulage or that applies to vehicles used for haulage, as well as any appropriate administrative policy of the Minister in relation to these, also applies to the application. Once the licence is granted, details of the operator, including name, address, licence number, licence validity dates, vehicle registration numbers and transport manager name will be published on the Department's website.

### **Section 10 – Declaration and Signature**

This section should be completed and signed by one of the following:

- the applicant, where the applicant is an sole trader;
- one of the partners, where the applicant is a partnership;
- the company secretary or a company director, where the applicant is a company;
- the secretary or a member of the committee of management, where the applicant is a cooperative.

The person signing this section must ascertain that all of the details in relation to the application are correct, and that any information being provided to them by any other person for the purposes of the application is correct. Where any person has provided any information for the purposes of this application which is found to be false or misleading, that person commits an offence and may be prosecuted by the Minister and may be liable to a fine of up to €50,000. Where any aspect of the application is found to be false or misleading, the Minister may refuse the application, and deem the repute of the applicant and/or relevant persons to be affected.

### **FURTHER INFORMATION**

Application forms and further information are available from our website at [www.dttas.ie](http://www.dttas.ie) or from the Road Transport Operator Licensing Unit at:

**Department of Transport, Tourism and Sport, Clonfert House, Bride Street, Loughrea, Co. Galway**

Telephone Lo-call: 0761 001 601

Fax: 091-872999

Email: [rtol@dtas.ie](mailto:rtol@dtas.ie)

**Public Office Open Mon - Fri 9.30 - 13.00 and 14.00 - 17.00**

## **RELEVANT OFFENCES**

Any offences listed below, either Serious Offences or Other Offences, must be declared in section 6 of the application for each relevant person, and in a Garda Vetting Form filled out by each of them. These offences will be considered for the purposes of determining good repute in the case of Serious Offences if convicted at any time, and in the case of Other Offences if convicted in the previous ten years.

“Relevant person” means:

- the applicant, where the applicant is an individual;
- each of the partners, where the applicant is a partnership;
- the company, its secretary or any director, where the applicant is a company;
- the cooperative, its secretary or any member of the committee of management, where the applicant is a cooperative;
- the transport manager, where the transport manager is not one of the above.

Where the applicant is a company or co-operative, then any of either the Serious Offences or Other Offences against the company or co-operative must be declared in section 6 of the application form, but there is no need to fill out a Garda Vetting Form on behalf of the company or co-operative itself. This does not alter the need for every relevant person in the company or co-operative to declare all convictions and submit a Garda Vetting Form.

### **Serious Offences**

- (a) murder,
- (b) manslaughter,
- (c) a drug trafficking offence (within the meaning of section 3 of the Criminal Justice Act 1994),
- (d) an offence under the Non-Fatal Offences against the Person Act 1997,
- (e) an offence under section 2 of the Illegal Immigrants (Trafficking) Act 2000,
- (f) a sexual offence (within the meaning of section 3 of the Sex Offenders Act 2001),
- (g) an offence under the Criminal Justice (Theft and Fraud Offences) Act 2001,
- (h) an offence relating to money laundering under Part 2 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010,
- (i) an offence under the Firearms Acts 1925 to 2009,
- (j) an offence consisting of attempting or conspiring to commit, or aiding, abetting, counselling, soliciting, procuring or inciting the commission of any offence mentioned in *paragraphs (a) to (i)*, or
- (k) an offence under the law of another jurisdiction which corresponds to an offence mentioned in paragraphs (a) to (j), where the conduct constituting the offence under the law of that other jurisdiction would, if committed in the State, constitute an offence referred to in any of those paragraphs.

### **Other Offences**

An offence under -

- the Companies Acts relating to a company established for the purposes of the occupation of road haulage or passenger transport operator,
- the Road Traffic Acts 1961 to 2011,
- Part 2 of the Public Transport Regulation Act 2009 (No. 37 of 2009),
- the Road Transport Act 1933 and any Act or section of any Act construed or read together with it,
- the Dangerous Substances Acts 1972 and 1979,
- the Carriage of Dangerous Goods by Road Act 1998 (No. 43 of 1998),
- the Diseases of Animals Acts 1966 to 2001,
- the Customs and Excise (Miscellaneous Provisions) Act 1988 (No. 10 of 1988),
- section 3 of the Customs Act 1956 (No. 7 of 1956),

- section 10 of the International Carriage of Perishable Foodstuffs Act 1987 (No. 20 of 1987),
- the International Carriage of Goods by Road Act 1990 (No. 13 of 1990),
- section 102 of the Finance Act 1999 (No. 2 of 1999),
- the Agriculture Acts 1931 to 1980 relating to the carriage of animals, meat or agricultural produce,
- the Agricultural Produce (Fresh Meat) Acts 1930 to 1988,
- in so far as it relates to the occupation of road haulage or road passenger transport operator -
  - the Minimum Notice and Terms of Employment Acts 1973 to 2005,
  - section 77 of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005),
  - the Protection of Young Persons (Employment) Act 1996 (No. 16 of 1996),
  - the Unfair Dismissals Acts 1977 to 2007,
  - the Organisation of Working Time Act 1997 (No. 20 of 1997),
  - the Terms of Employment (Information) Act 1994 (No. 5 of 1994),
  - the Employment Permits Acts 2003 to 2006,
  - the Payment of Wages Act 1991 (No. 25 of 1991),
- the Social Welfare Acts,
- the Competition Acts 2002 to 2010,
- the Bankruptcy Act 1988 (No. 27 of 1988),
- Part 3 of the Consumer Protection Act 2007 (No. 19 of 2007),
- the Sale of Goods and Supply of Services Act 1980 (No. 16 of 1980),
- any regulation made under the European Communities Act 1972, relating to the carriage of goods or passengers by road,
- a law in force in a Member State, other than the State, and which corresponds to any of the foregoing offences where the conduct constituting the offence under the law of that other Member State would, if committed in the State, constitute an offence.
- a serious criminal offence.
- a serious infringement of Community rules relating to:
  - the driving time and rest periods of drivers, working time and the installation and use of recording equipment;
  - the maximum weights and dimensions of commercial vehicles used in international traffic;
  - the initial qualification and continuous training of drivers;
  - the roadworthiness of commercial vehicles, including the compulsory technical inspection of motor vehicles;
  - access to the market in international road haulage or, as appropriate, access to the market in road passenger transport;
  - safety in the carriage of dangerous goods by road;
  - the installation and use of speed-limiting devices in certain categories of vehicle;
  - driving licences;
  - admission to the occupation;
  - animal transport.

**HAULAGE OPERATOR TRADING AS SOLE TRADER/PARTNERSHIP  
SAMPLE ACCOUNTANT'S REPORT**

1. We have prepared, without carrying out an audit, a statement of affairs as at ..... (date) from the accounting records of ..... ("the applicant") who carries on business at ..... (address) and from information and explanations supplied to us.

2. In making this report we have had regard to the unaudited statement of affairs referred to above and, in particular, to the amounts and other information included in that statement of affairs in respect of:

- (i) funds available, including cash at bank and overdraft and loan facilities;
- (ii) assets, including property, available to provide security;
- (iii) costs, including purchase cost or initial payment for vehicles, premises, plant and equipment; and
- (iv) working capital.

3. We confirm that the unaudited statement of affairs of the business at ....., (date) shows Total Assets less Total Liabilities of € ..... at ..... (date) which, on the basis of the licence application for ..... vehicles, exceeds €9,000 for the first vehicle and €5,000 for each additional vehicle to be authorised for use under the applicant's Road Haulage Operator's Licence.

**Firm of Accountants:** .....

**Address:** .....

.....

.....

**\* Auditor's/Accountant's Signature:** .....

**Date:** .....

*\* This person can be an auditor, accountant, or accounting technician*

**HAULAGE OPERATOR TRADING AS LIMITED COMPANY  
SAMPLE ACCOUNTANT'S REPORT**

1. We have audited in accordance with Auditing Standards the financial statements of .....("the company"), whose registered office is at .....(address) for the year/period ended ..... (date).

2. Our audit report on those financial statements, was without qualification,  
**OR**

Our audit report on those financial statements, which was qualified, was as follows:

3. In making this report we have had regard to the financial statements referred to above and, in particular, to the amounts and other information included in those financial statements in respect of:

- (i) funds available, including cash at bank and overdraft and loan facilities;
- (ii) assets, including property, available to provide security;
- (iii) costs, including purchase cost or initial payment for vehicles, premises, plant and equipment; and
- (iv) working capital.

4. We confirm that the audited balance sheet of the company at ..... (date) shows Capital and Reserves of € ..... which, on the basis of the licence for ..... vehicles, exceeds €9,000 for the first vehicle and €5,000 for each additional vehicle to be authorised for use under the company's Road Haulage Operator's Licence.

**Firm of Accountants:** .....

**Address:** .....

.....

.....

**\* Auditor's/Accountant's Signature:** .....

**Date:** .....

*\* This person can be an auditor, accountant, or accounting technician*