



## 2010 CHAPTER 2

### *Miscellaneous*

#### **Certificates of qualification**

**49.—(1)** On an application made to the Department by a person wishing to engage in a road transport undertaking in a member State other than the United Kingdom, the Department shall issue to the applicant a certificate (a “certificate of qualification”) as to such matters relating to the applicant's—

- (a) repute,
- (b) professional competence, or
- (c) financial standing (where relevant),

as the Department is satisfied it may properly certify and as appear to the Department to be of assistance to the applicant in satisfying any requirements imposed by the law of the other member State as regards the repute, professional competence and financial standing of persons engaged in road transport undertakings in that member State.

(2) A certificate of qualification shall—

- (a) be in such form as the Department may prescribe;
- (b) have effect for the purposes of Article 8, 9 or (as the case may be) 10 of the 1996 Council Directive.

(3) No certificate of qualification shall be issued before a prescribed fee has been paid to the Department.

(4) The applicant shall give to the Department such information as it may reasonably require for the discharge of its duties in relation to the application.

(5) In subsection (1) references to repute, professional competence or financial standing are to be construed in accordance with the 1996 Council Directive.