

CPOL-A2



Transport Malta

Dikjarazzjoni Personali dwar Reputazzjoni u Kondotta Tajba għal Liċenza ta' Operatur għall-Ġarr ta' Passiġġieri

Personal Declaration on Good Repute and Good Conduct for Carriage of Passengers Operator Licence

Din il-formola trid timtela minn kull persuna li ismha jidher fuq l-applikazzjoni għal Liċenza ta' Operatur, u trid tiġi pprezentata ma' dik l-applikazzjoni. Din il-formola trid timtela wkoll minn diretturi ġodda, sħab jew rappreżentanti awtorizzati tal-impriża li jingħataw kariga mal-Operatur kemm iddum fis-seħħ din il-Liċenza ta' Operatur.

L-applikazzjonijiet għandhom jiġu pprezentati lill-Awtorità għat-Transport f'Malta, Taqsima għal-Liċenzjar ta' Servizzi ta' Transport Stradali, Triq Sa Maison, Furjana FRN 1612, Malta.

Jekk jogħġbok meta timla din il-formola uża ittri kbar u linka blu jew sewda. Jekk ikollok bżonn aktar spazju, jekk jogħġbok ikteb in-numru tal-paragrafu u d-dettalji fuq paġna separata, iffirmaha u ehmiżha ma' din l-applikazzjoni.

Jekk jogħġbok agħmel fotokopji tal-formoli skont ma tkun teħtieg.

This form must be completed by each individual person named on the Operator Licence application, and submitted with that application. This form should also be completed by any new directors, partners or authorised representatives of the undertaking that take up positions within the Operator during the currency of the Licence.

Applications are to be submitted to the Authority for Transport in Malta, Road Transport Services Licensing Unit, Sa Maison Road, Floriana FRN 1612, Malta.

Please fill in this form using block letters and blue or black ink. If more space is required, kindly write the paragraph number and details on a separate page, sign it, and attach it to this application.

Please photocopy as many forms as you require.

TAQSIMA A: Dettalji dwar il-Liċenza ta' Operatur

SECTION A: Operator Licence Details

A1 Isem li taħtu jkun qed jopera l-Operatur (Isem il-Kumpanija jew isem is-Socjetà bi

Sħubija, f'każ li ma jkunx Individwu/negozjant waħdu)

Trading Name of Operator (Company Name or Partnership Name in case he is not an Individual/Sole Trader)

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A2 Jekk int diġà għandek Liċenza ta' Operatur, jekk jogħġbok niżżel in-numru tal-Liċenza ta' Operatur

If you are already in possession of an Operator Licence, please insert Operator Licence Number

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A3 Jekk int m'għandekx Liċenża ta' Operatur, jekk jogħġbok nizzel in-Numru tar-Reġistrazzjoni tal-Kumpanija jew in-Numru tas-Socjetà bi Shubija jew in-Numru tal-Karta tal-Identità tal-Individwu (skont liem japplika)

If you are not in possession of an Operator Licence, please insert Company Registration Number or Partnership Number, or Individual ID Card Number (as applicable)

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TAQSIMA B: Dettalji Personali
SECTION B: Personal Details

B1 Dettalji Personali *Personal Details*

Isem Name

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Kunjom Surname

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Titlu Title

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 Ġeneru Gender Maskili Male Femminili Female

Numru tal-Karta tal-Identità Identity Card Number

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B2 Indirizz fejn jista' jsir kuntatt *Contact Address*

Isem u numru Name and Number

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Triq Street

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Lokalità Locality

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Kodiċi Postali Postcode

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Pajjiż Country

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TAQSIMA Ċ: Reputazzjoni u Kondotta Tajba

SECTION C: Good Repute and Conduct

Persuna ma titqiesx li tissodisfa l-kundizzjoni ta' reputazzjoni u kondotta tajba biex tkun tista' tinvolti ruħha fil-ġarr stradali ta' passiġġieri jekk:

A person shall not be deemed to satisfy the condition of good repute and conduct to be able to be involved in the carriage of passengers by road, if that person:

(a) tkun instabet haġta ta' xi reat kif jidher fi: Titolu I tal-Parti II ta' l-Ewwel Ktieb tal-Kodiċi Kriminali jew l-artikoli 198, 199, 203, 203A, 204, 204A, 204B, 204Ċ, 205, 211, 212, 213, 217, 218, 220, 238(a), 245, 248B, 248Ċ, 248D tal-Kodiċi Kriminali; jew

(a) has been convicted of any crime contemplated in: Title I of Part II of Book First of the Criminal Code, or, and articles 198, 199, 203, 203A, 204, 204A, 204B, 204C, 205, 211, 212, 213, 217, 218, 220, 238(a), 245, 248B, 248C, 248D of the Criminal Code; or

(b) Għal dak il-perjodu ta' żmien meta hija tkun qiegħda tiskonta piena ta' prigunerija ta' mhux anqas minn xahar;
(b) for such period during which he is serving a sentence of imprisonment of at least one month;

(c) Għal dak il-perjodu ta' żmien li jiġi minnufih wara dak iż-żmien li hija tkun għamlet tiskonta piena ta' prigunerija ta' mhux anqas minn xahar li tkun ingħatat lil dik il-persuna għal reat jew reati marbuta ma' vjolenza fuq persuna oħra, liema perjodu jkun:

- I. Sena fir-rigward ta' pieni ta' prigunerija ta' mhux anqas minn xahar iżda li ma jkunux aktar minn sena;
- II. Daqs iż-żmien ta' prigunerija li għalih persuna bħal dik tkun ikkundannata piena ta' prigunerija ta' aktar minn sena iżda li tkun anqas minn għaxar snin; u
- III. Għaxar snin fir-rigward ta' pieni ta' prigunerija ta' għaxar snin jew aktar;
- IV. (mhux aktar minn sentejn fejn l-applikant kellu inqas minn tmintax-il sena meta wettaq ir-reat)

(c) for such period immediately following time spent serving a sentence of imprisonment for a term or terms of at least one month imposed on such person for a crime or crimes connected with violence committed on a person, which period shall be:

- I. *of one year for sentences of imprisonment for a term of at least one month and not more than one year;*
- II. *equal to the term of imprisonment for which such person was sentenced for sentences for terms of imprisonment of more than one year and less than ten years; and*
- III. *ten years for sentences for terms of imprisonment of at least ten years;*
- IV. *(Not longer than two years if the applicant was less than eighteen years at the time of the commission of the offence)*

(d) Għal dak il-perjodu ta' żmien li jiġi minnufih wara iż-żmien li tkun għamlet tiskonta piena ta' prigunerija ta' mhux anqas minn xahar, minbarra pieni li tkun ingħata fir-rigward ta' dik il-persuna għal reat jew reati marbuta ma' vjolenza fuq persuna oħra, liema perjodu jkun:

- I. Daqs iż-żmien ta' prigunerija li għalih persuna bħal dik tkun giet ikkundannata piena ta' prigunerija ta' inqas minn ħames snin; u
- II. Ħames snin fir-rigward ta' pieni ta' prigunerija ta' ħames snin jew aktar;
- III. (mhux aktar minn sentejn fejn l-applikant kellu inqas minn tmintax-il sena meta wettaq ir-reat)

(d) for such period immediately following time spent serving a sentence of imprisonment of at least one month, other than a sentence imposed on such person for a crime or crimes connected with violence committed on a person, which period shall be:

- I. *equal to the term of imprisonment for which such person was sentenced for terms of imprisonment of less than five years; and*
- II. *of five years for sentences for terms of imprisonment of at least five years;*
- III. *(Not longer than two years if the applicant was less than eighteen years at the time of the commission of the offence)*

(e) Għal perjodu ta' żmien li jkun daqs dak tal-piena ta' prigunerija mogħtija, meta l-Qorti tista' tordna li sentenza bħal dik m'għandhiex tibda sseħħ skont l-artikolu 28A tal-Kodiċi Kriminali, liema perjodu għandu jibda jgħodd mid-data ta' meta tkun ingħatat is-sentenza.

(mhux aktar minn sentejn fejn l-applikant kellu inqas minn tmintax-il sena meta wettaq ir-reat);

(e) for a period equal to the sentence of imprisonment passed, when such sentence is ordered not to take effect in terms of article 28A of the Criminal Code, which period shall start to run from the date of the conviction.

(not longer than two years if the applicant was less than eighteen years at the time of the commission of the offence)

(f) Għal perjodu ta' sena minn meta tkun ġiet imposta multa jew multi li flimkien ikunu jammontaw għal mhux inqas minn erbat elef euro (€4,000) impost fit-tmax-il xahar ta' qabel fuq persuna għal reat jew reati marbuta ma' vjolenza jew għal reat jew reati skont l-Ordinanza dwar ir-Regolamenti tat-Traffiku, l-Att, l-Ordinanza dwar l-Assigurazzjoni ta' Vetturi bil-Mutur għar-Riskji ta' Terzi Persuni, l-Att dwar ir-Registrazzjoni u l-Licenzjar ta' Vetturi bil-Mutur jew reat jew reati skont kull regolament li jsir taħthom;

(f) for a period of one year following the imposition of a fine or fines which in the aggregate amount to at least four thousand euro (€4000) imposed in the previous twelve months on a person for a crime or crimes connected with violence or for committing a crime or crimes in terms of the Traffic Regulation Ordinance, the Act, the Motor Vehicles Insurance (Third Party Risks) Ordinance, the Motor Vehicles Registration and Licensing Act or a crime or crimes in terms of any regulation made there under;

(g) Tkun ġiet dikjarata li mhix tajba biex taħdem bħala operator taħt kull regola fis-seħħ; iżda operator għandu jitqies li ġie dikjarat li m'huwiex tajjeb li jwettaq ix-xogħol ta' operator jekk:

- I. Fis-sentejn ta' qabel, ġiet irtirata l-licenzja li kienet inħarġitlu għall-għoti ta' servizzi marbuta mal-ġarr stradali tal-passiġġieri f'Malta jew f'kull Stat ieħor, kemm b'ordni ta' qorti jew ta' xi korp ieħor li jaġġudika kif ukoll mill-awtorita' kompetenti; jew
- II. Kien, matul is-sentejn ta' qabel, direttur, sieħeb, persuna maħtura speċifikament jew persuna li tkun qiegħda tirrappreżenta b'mod ġuridiku jew ġudizzjarju operator jew aktar jew operator tat-taxi li l-licenzja tiegħu tkun ġiet irtirata waqt il-ħatra tiegħu, skont dawn ir-regolamenti jew skont ir-Regolamenti dwar Servizzi tat-Taxi; jew
- III. Huwa kien:
 - a) Inghata sentenza li ġgorr magħha piena jew pieni ta' multa li tammonta għall-anqas għal erbat elef euro (€4000) fl-aħħar tmax il-xahar; jew
 - b) Instab ħati li ikkommetta ksur tal-istess dispożizzjoni tal-liġi mill-anqas f'ħames okkazzjonijiet differenti fl-aħħar ħames snin;

Izda dik is-sentenza jew kundanna ta' ħtija tkun dwar:

A. Il-paga u l-kundizzjonijiet ta' impjeg tal-professjoni; jew;

B. It-trasport stradali, b'mod partikolari r-regoli marbuta mas-sewqan, il-pizijiet u d-dimensjonijiet u l-kapaċita' tal-vetturi, is-sigurta' fit-triq jew tal-vetturi, jew ħsara lill-ambjent u regoli oħra li jikkonċernaw ir-responsabbilta' professjonali;

(g) if he has been declared unfit to pursue the occupation of an operator under any rules in force; provided that an operator shall be considered to have been declared unfit to pursue the occupation of operator if:

- I. he has, in the previous two years, had a licence, which was issued to him for the provision of services related to the carriage of passengers by road in Malta or in any other State withdrawn, whether by order of a court or other adjudicating body or by the competent authority; or
- II. he was, during the previous two years, a director, partner, designated person or a person having the legal or judicial representation of one or more operators or taxi operators the licence of whom was withdrawn during his tenure in terms of these regulations or in terms of the Taxi Services Regulations; or
- III. he has been either:
 - a) sentenced to a fine or fines which in the aggregate amount to at least four thousand euro (€4,000) in the last twelve months; or
 - b) convicted of committing a breach of the same provision of the law on at least five occasions in the last five years: Provided that such sentence or conviction concerns either:

A. the pay and employment conditions in the road transport profession or;

B. road transport, in particular the rules relating to driving, the weights and dimensions and carrying capacity of vehicles, road or vehicles' safety or damage to the environment and other rules concerning professional liability;

ħ) Tkun instabet ħatja li wettqet xi reat bħal dawk taħt xi liġi ta' pajjiż jew territorju barra minn Malta:

(h) if he has been found guilty of committing any corresponding offence under any law of a country or territory outside Malta:

TAQSIMA D: Dikjarazzjoni

SECTION D: Declaration

Jien hawn niddikjara li l-istqarrijiet li għamilt u l-informazzjoni li tajt f'din l-applikazzjoni huma korretti u veri. Nifhem li l-Liċenza tiġi revokata u jistgħu jittieħdu proċeduri kriminali kontra tiegħi jekk xi dettalji huma foloz jew jiżgwidaw.

I hereby declare, that the statements made and information given in this application are correct and true. I understand that the Licence will be revoked and criminal action may be taken against me if any of the details are false or misleading.

Jien hawn nawtorizza lill-Awtorità biex tikseb informazzjoni bil-miktub, jew f'xi forma oħra jew mod ieħor, dwar ir-rekord kriminali tiegħi u dettalji tal-pieni għal reati rilevanti taħt ir-Regolamenti tal-2009 dwar is-Servizzi ta' Ġarr ta' Pasiġġieri. Nifhem li l-Awtorità tista' b'mod leġittimu tuża din l-informazzjoni biex tiddetermina jekk għandhiex tintlaqa' l-applikazzjoni tiegħi biex nikseb Liċenza ta' Operatur għall-Ġarr ta' Passiġġieri.

I hereby authorise the Authority to obtain information in writing, or in any form or manner, on my criminal records and details of convictions for relevant offences under the Passenger Transport Services, Regulations. I understand that the Authority may legitimately use this information to determine the outcome of my personal declaration to obtain a Carriage of Passengers Operator Licence.

Niddikjara kull piena li nista' nehel fil-futur lill-Awtorità fi żmien mhux aktar minn 21 ġurnata minn meta ninsab ħati, u ninforma lill-Awtorità jekk ir-rwol tiegħi fi ħdan l-Operatur jinbidel. Nifhem li jekk nonqos milli nagħmel hekk, dan jista' jwassal għar-revoka jew is-sospensjoni tal-Liċenza ta' Operatur.

I will declare any future convictions to the Authority no more than 21 days after receiving the conviction, and will also inform the Authority if my role within the Operator changes. I understand that failure to do this may lead to the suspension or revocation of the Operator Licence.

Firma Signature

Isem Name

Data Date

SEZZJONI E: Dokumentazzjoni bħala prova

SECTION E: Supporting Documentation

Ċertifikat maħruġ mill-Pulizija li juri kull reat kriminali u, jew kontravenzjonijiet li l-applikant setgħa kien instab ħati tagħhom flimkien mal-piena għalihom. Id-dokument ma jiġix aċċettat jekk jintwera aktar tard minn tliet xhur mid-data tal-ħruġ.

A certificate issued by the Police detailing any criminal offences and, or contraventions for which the applicant may have been sentenced together with the punishment thereof. The certificate must have been issued not more than three months before the application date.