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Commission Directive 2009/5/EC of 30 January 2009 amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities

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Commission Directive 2009/5/EC of 30 January 2009 amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities (OJ L 29, 31.1.2009, p. 45–50)

Directive 2006/22/EC¹ on the implementation of the driving and rest time regulation contained an Annex III with only very basic indications on what the Commission regarded as infringements against the driving and rest time regulation² and the tachograph regulation³.

A common understanding of the categorisation of infringements is desirable in order to provide a common basis for the risk rating systems which Member States have to introduce according to Article 9(1) of Directive 2006/22/EC, to harmonise the application of the social legislation relating to road transport and to facilitate the exchange of information on infringements between Member States.

Commission Directive 2009/5/EC introduces therefore a new Annex III to Directive 2006/22/EC, giving guidelines on the categorisation of the most common infringements against Regulation (EC) No 561/2006 and Council Regulation (EEC) No 3821/85 by dividing them into three categories: very serious infringements, serious infringements, minor infringements.

¹ Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC, OJ L 102, 11.04.2006, p. 35.

² Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85, OJ L 102, 11.04.2006, p.1.

³ Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport, OJ L 370, 31.12.1985, p. 8.