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Convention on the Contract for the International Carriage of Goods by Road (CMR):

Additional Protocol to the CMR concerning the Electronic Consignment Note

Application form for admission to BENELUX pilot project as a software provider for electronic consignment note*

Submitted by the Netherlands

This document contains a form that is used by applicants who wish to participate in the pilot project related to the use of electronic consignment notes for the delivery of goods by road within the BENELUX Union comprised of Belgium, Luxembourg and the Netherlands. As at the date of this document, Luxembourg and the Netherlands were contracting parties to the Additional Protocol to the Convention on the Contract for the International Carriage of Goods by Road concerning the Electronic Consignment Note.

* This is an unofficial translation of the original form which is in French.



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Application for admission to BENELUX pilot project as software provider for electronic consignment note
(BENELUX Decision M (2017) 12)

Applicant	
Company name	
Business number	
Address (street, number, box)	
Postal code, municipality	
Phone	
E-mail	
Website	
Applicant name, position	

Conditions for admission to BENELUX pilot project as a software provider

The software provider should comply with the conditions stated in BENELUX Decision M (2017) 12 and the eCMR Protocol. Additional instructions agreed upon by Belgium, the Netherlands, and Luxembourg and based on the Decision, should be followed in order to be admitted to the BENELUX pilot project.

Documents to be attached

The following information should be attached to this application form:

1. A short and clear explanation of how the electronic consignment note works in practice and fulfills the following conditions referred to in the Decision and the eCMR Protocol:
 - different stages of the procedure;
 - advanced electronic signature mode;
 - accessibility of the various actors;
 - which devices can be used;
 - data retention (duration, availability...)
 - mechanisms for data management in case of recovery, closure, bankruptcy, merger, etc.
 - If a company holds a valid ISO-27001 certificate, it is considered to be proof of adequate data management. However, holding an ISO-27001 certificate is not a mandatory condition. In the absence of such a certificate, it is important to describe clearly and precisely the way in which data management and security is ensured and organized.
2. A brief description of the software used and the means proposed to ensure the security and authenticity of the electronic consignment note (in order to avoid fraud);
3. The model or layout (with a unique number) of the electronic consignment note which may be checked by inspectors;

The unique numbering referred to in Article 3 of Decision M (2017) 12 should be continuous. The number should begin with the 2-letter country code (ISO 3166-1) and end with the 3-letter code assigned to the provider upon admission. The country code will be determined by the place of establishment of the carrier and not the provider (see Art. 3 of the Decision).

4. The way in which inspectors may control the electronic consignment note on the road: legibility, authenticity,...
5. A description of how the inspectors will have an access to the application and how they can verify it during an inspection (with a brief manual).

At least 3 representatives of the state authorities from each of the 3 countries (Belgium, the Netherlands, and Luxembourg) should have direct access to the software provider's database. This access should make it possible to search for the consignment notes in the database by using the following search criteria: "license plate number", "company name" and "date".

It is important that a provider gives access to the eCMR data which can be consulted and downloaded by the

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inspectors of the 3 BENELUX countries in case of an inspection. For this purpose, the provider should transfer 3 sets of log-in to the Belgian authorities.

- *The distributor agrees to share the log-in data with the authorities of the Netherlands and Luxembourg, allowing them to control the data as well. The exchange of log-in data with the Netherlands and Luxembourg is essential for control purposes during the pilot project.*

- *The possibility of placing the data into a central database is envisaged in order to facilitate cross-border control. Therefore, the provider should give an access to the system in order to ensure that the eCMR data and the central database are synchronized (realtime).*

Important notes:

1. The software provider is required to follow all instructions and provide any additional information upon the request of FPS Mobility and Transport¹;
2. FPS Mobility and Transport may exclude a company from the pilot project if it appears that the criteria specified by the eCMR Protocol and the BENELUX M Decision (2017) 12 are no longer fulfilled, or that the operational instructions are not followed;
3. Upon admission the applicant undertakes to continue to comply with the requirements of the Decision and eCMR Protocol (including the notification of all clients to whom he makes his technology available, changes made in the system, etc.);
4. If this application is incomplete, the missing documents will be requested. In such case, the 3-month period for FPS Mobility and Transport to process the application may be extended.

Date and signature of the applicant

¹ Belgian Minister of Mobility