

# PART II

## Introductory presentations on the new modules of IMI System for road transport





# PART II



## INTRODUCTORY PRESENTATIONS ON THE NEW MODULES OF IMI SYSTEM FOR ROAD TRANSPORT

DG MOVE

8. Implementation of Mobility Package 1- overview of legal requirements and key implementation tools

DG GROW

9. Presentation of the Internal Market Information system (IMI) and outline of Mobility Package 1 modules

DG DIGIT

10. Controls of posting declaration at roadside

11. Questions and answers on IMI and its use





## 8. Implementation of Mobility Package 1- overview of legal requirements and key implementation tools

**DG MOVE**



# Posting of drivers in road transport: IMI and the public interface

ELA Road Transport Workshop – 9 December 2021

*Inès Maillart, Policy Officer, DG MOVE – Road transport unit*

# New rules on posting of drivers

- **Background:** diverging national rules on posting of drivers in road transport, open list of administrative requirements and control measures → legal uncertainty and administrative burden for companies
- **New Directive (EU) 2020/1057** on Lex Specialis on posting of drivers  
→ will start applying **on 2 February 2022.**
- Posted drivers will receive the **remuneration of the host Member State** where they carry out activities covered by posting rules.
- **Harmonised implementation and enforcement:** use of IMI and public interface connected to IMI, closed list of administrative requirements + mutual cooperation



# Enforcement of posting of drivers - IMI

- Key role of **IMI** (Internal Market Information System) and the **new public interface connected to IMI**:
  - **For companies**: submission of standardised **posting declarations** via a multilingual public interface at the latest at the commencement of the posting.
  - **For the host authorities**: enforcement of the posting rules via **requests for documents** sent directly to the company. Closed list of documents including tachograph records, payslips, employment contracts.
  - **For the home authorities**: can receive **requests for assistance** from the host authority to provide documents where the economic operator fails to do so.

# Enforcement of posting rules in detail

# Enforcement of posting of drivers (1)

## Prior to the posting:

- Obligation for the operator established in another MS to submit a posting declaration to the authorities of a Member State to which the driver is posted:
  - at the latest at the **commencement of the posting**
  - using the **multilingual public interface** connected to the IMI
  - posting declaration covering **max. 6 months** – can be renewed



# Enforcement of posting of drivers (2)

## Content of the posting declaration:

- i. the **identity of the operator**, at least in the form of the number of the Community licence where this number is available;
- ii. the **contact details of a transport manager** or other contact person in the Member State of establishment to liaise with the competent authorities of the host Member State in which the services are provided and to send out and receive documents or notices;
- iii. the **identity of the driver**, the address of the residence and the number of his/her driving licence;
- iv. the **start date of the driver's contract of employment**, and the law applicable to it;
- v. the envisaged **start and end date of the posting**;
- vi. the **number plates** of the motor vehicles;
- vii. the **transport services performed** (e.g. carriage of goods, carriage of passengers, international carriage or cabotage operations).

# Enforcement of posting of drivers (3)

## During the posting:

- 1) posting declaration in paper or electronic form
- 2) evidence of the transport operations taking place in the host Member State, such as an electronic consignment note (e-CMR)
- 3) the tachograph records (mention of the country codes of the MS where operations took place)

# Enforcement of posting of drivers (4)

## What can be checked at the roadside:

- Step 1: During a roadside check, the **driver shows the posting declaration** either in paper or electronically.
- Step 2: The host authority checks the authenticity and validity of the posting declaration with **an IMI real-time check**
- Step 3: The host authority **may decide afterwards to send a request for documents via IMI** to the company to check that the driver received the appropriate remuneration for the period of posting.



# Enforcement of posting of drivers (5)

## Documents that can be requested via IMI directly to the operator:

Following the request of the host MS, the operator must send via the IMI public interface:

- i. tachographs records
- ii. consignment notes (e.g. e-CMRs)
- iii. documentation relating to the remuneration of the driver in respect of the period of posting,
- iv. the employment contract
- v. time-sheets relating to the driver's work
- vi. proof of payments.

# Enforcement of posting of drivers (6)

## Procedure for the request in IMI:

- Step 1: The host authority makes a direct request to the company **via IMI**.
- Step 2: The company receives the request in the interface and has **8 weeks to submit the requested documents**.
- Step 3: If the company fails to submit the documents within 8 weeks, the host authority may request **assistance from the home authority**.
- Step 4: The home authority has access to the request from the host MS authority in IMI and contacts the company (e.g. checks at premises) to **get the documents within 25 working days**.

# Thank you!

# Any questions?



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## 9. Presentation of the Internal Market Information system (IMI) and outline of Mobility Package 1 modules

**DG GROW**



# Internal Market Information System (IMI)

9 December 2021 – ELA Road Transport Workshop

*DG GROW*

## I Introduction to IMI

- ❖ IMI in general and benefits of using the system
- ❖ Types of information exchanges in IMI
- ❖ The IMI Regulation
- ❖ Policy areas in IMI and expansion of IMI

## II Practical aspects

- ❖ National IMI Coordinators
- ❖ IMI basic features

## III IMI & Mobility package (three new Mobility modules)

- ❖ Reminder – legal basis
- ❖ Three different exchanges in IMI



# I Introduction to IMI

# IMI in general

- ❖ **Secure, multilingual online tool**
- ❖ Facilitates the **exchange of information between public authorities** of the European Union
- ❖ Also used in the countries belonging to the **European Economic Area (EEA)**
- ❖ First information exchanges in **2008**
- ❖ Supports **17 different policy areas**



# The benefits of using IMI

- ❖ **Adaptable** for different policy areas
- ❖ **Multilingual**, can be used in all EU official languages; standardised content, questions, answers, messages and form fields are **pre-translated**; **automated translation** available for information provided in free text
- ❖ **Flexible**: can accommodate any national administrative structure
- ❖ **Secure and data protection proof**
- ❖ **Does not generate direct costs** for Member States

# The benefits of using IMI

- ❖ **Easy to find the counterpart** of the information exchange
- ❖ **Reminders:** on e-mail; no need to check the system all the time
- ❖ Possible to **follow the status of requests made**
- ❖ Support for users: **National IMI Coordinators (NIMICs) & the IMI Helpdesk & training environment**
- ❖ **Legal certainty** – IMI is based on a EU Regulation



# Types of information exchanges offered by IMI



# IMI Regulation

- ❖ IMI Regulation (1024/2012)
  - ❖ Shared competence between EU and MS in the field of the Internal Market (TFEU Article 26)
  - ❖ Legal basis setting the scope of use for IMI
  - ❖ Functions and responsibilities in relation to IMI
  - ❖ Rules on processing of personal data and security
  - ❖ Expansion of IMI
- ❖ [HERE](#) the link to the IMI Regulation

# Expansion of IMI

- ❖ **Formal expansion:** a new legislative act foresees the use of IMI and amends the Annex of the IMI Regulation
- ❖ **Pilot projects:** implementing acts to be adopted by the IMI Committee
- ❖ Aim for a **consensus** in Member States before introducing a new policy are

# Who does what in IMI?

## National IMI Coordinators (NIMICs)

- ❖ Responsible for implementation of IMI in the MS
- ❖ Tasks defined in the IMI Regulation
- ❖ Granting access to authorities
- ❖ Providing support for users
- ❖ Representing MS in IMI Working groups



# Who does what in IMI?

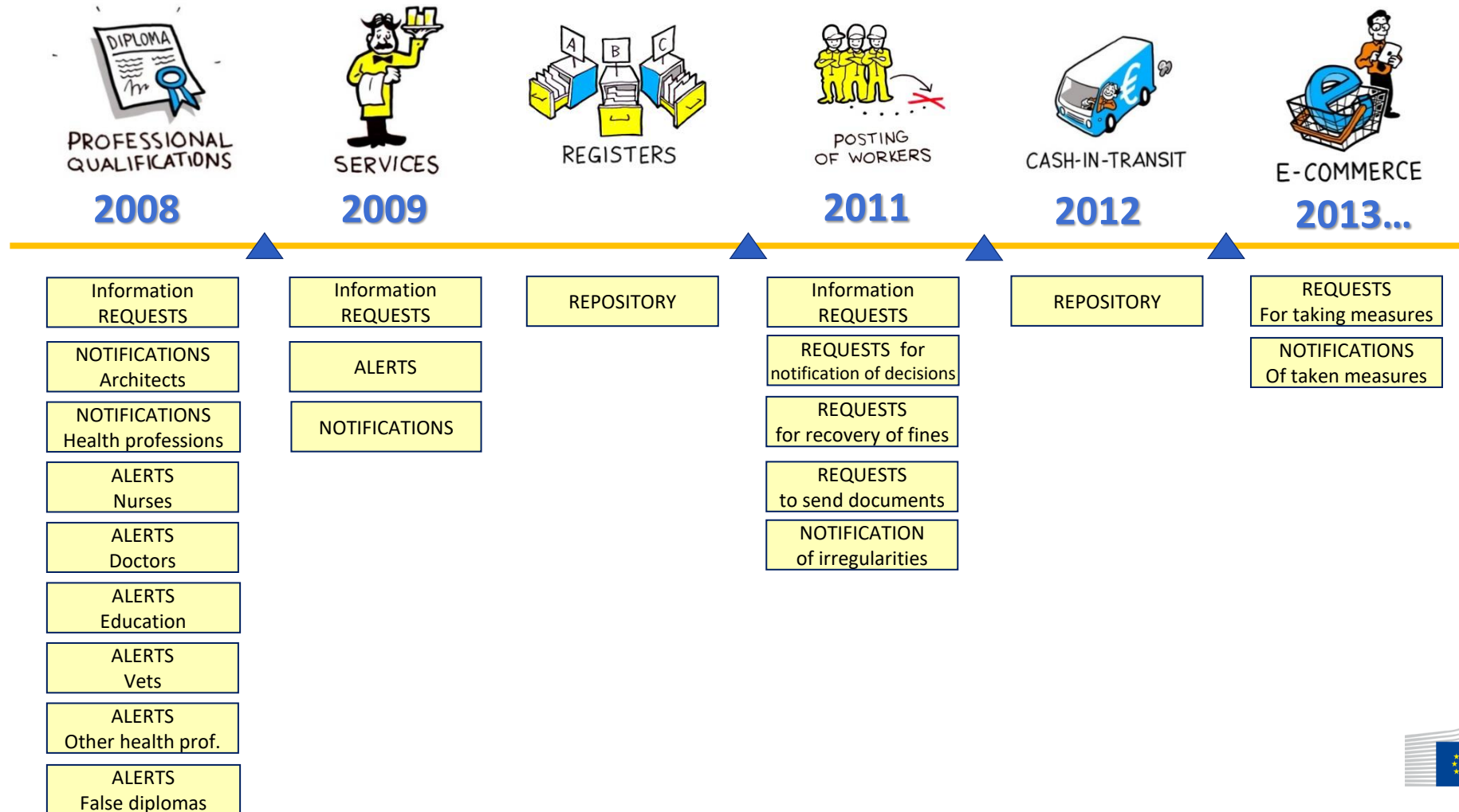
## Competent authorities

- ❖ Main actors who exchange information in the system
- ❖ National, regional or local

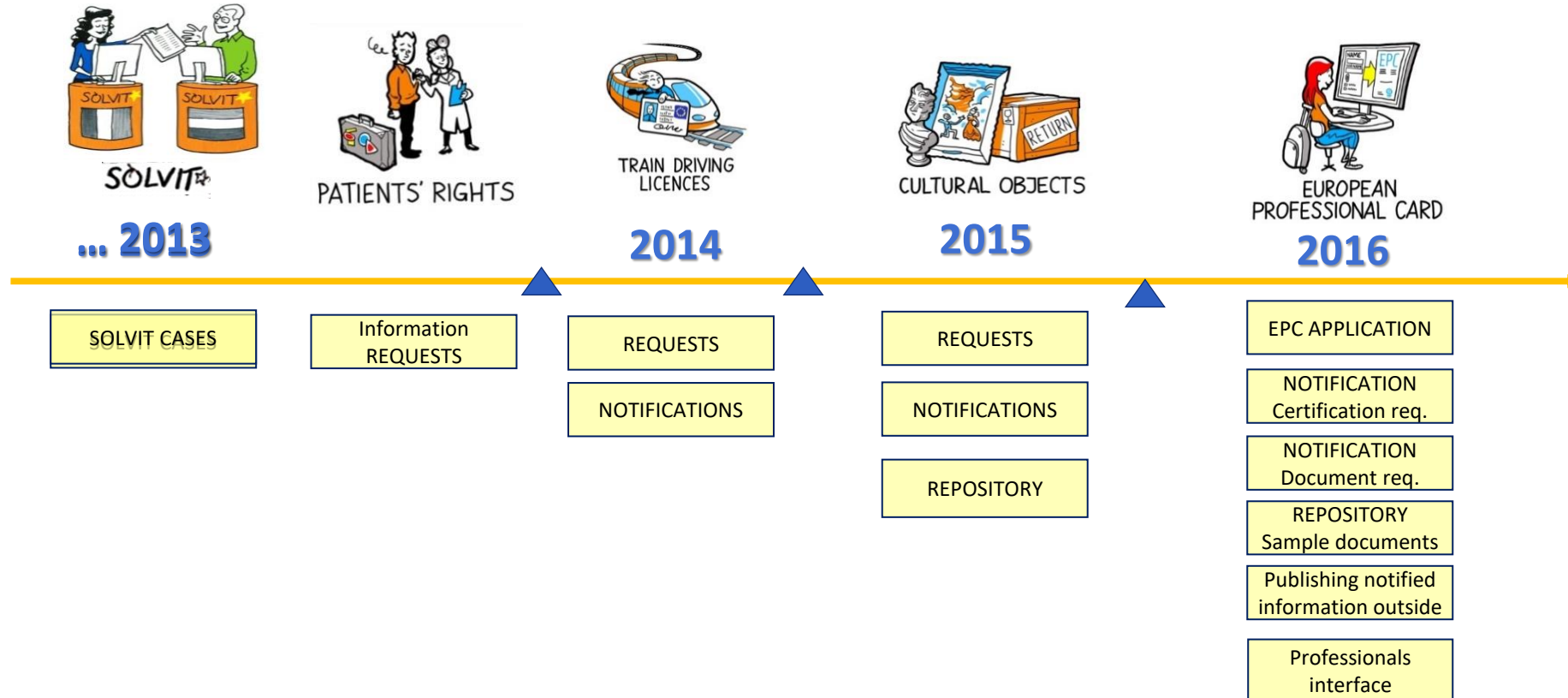
## The Commission

- ❖ Hosts and maintains the system
- ❖ Responsible for translations in the system
- ❖ Runs the IMI helpdesk

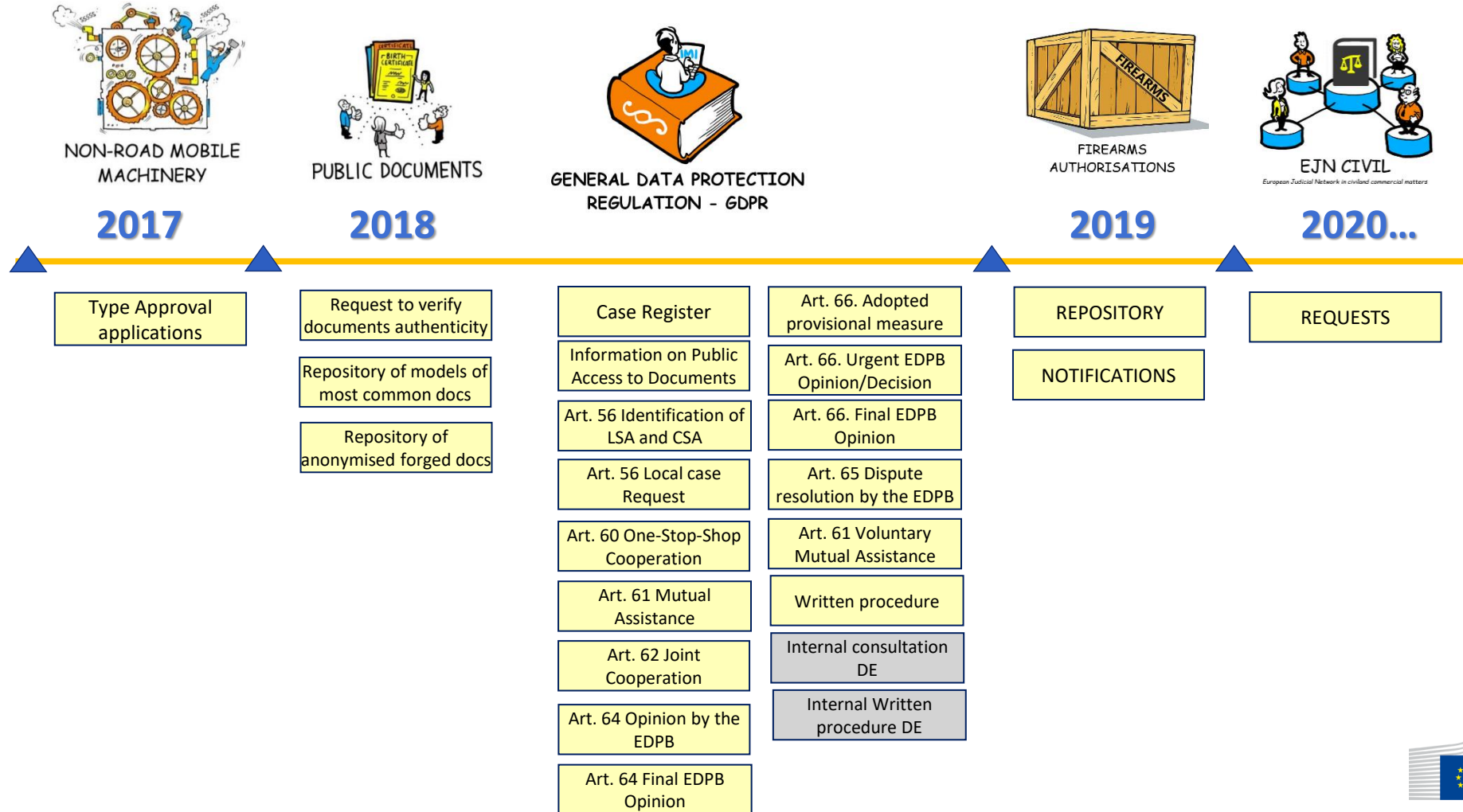
# Policy areas where IMI is used



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... 2020

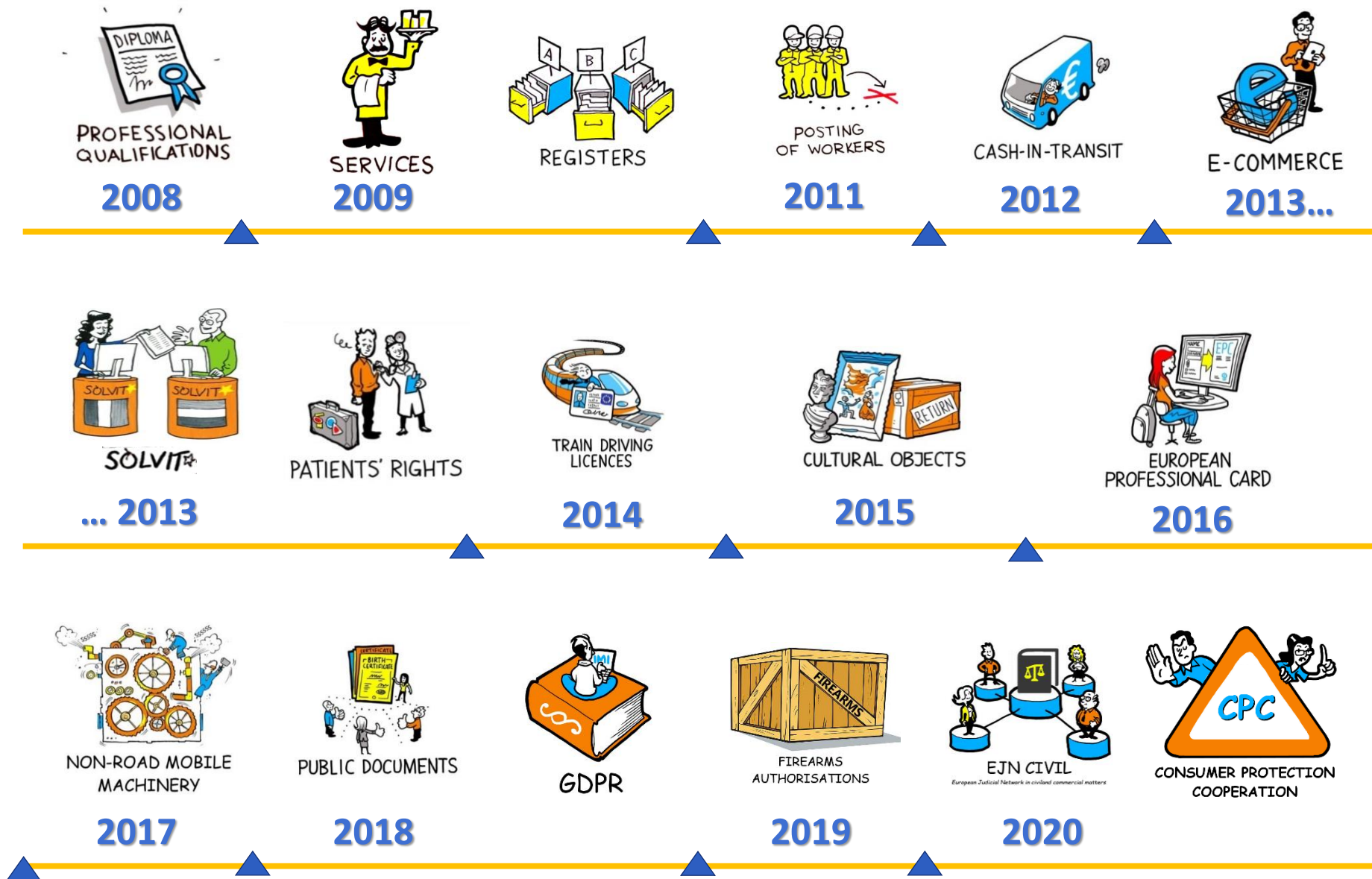


- REQUESTS for information
- REQUESTS for enforcement
- NOTIFICATION of request refusal
- NOTIFICATION of measures
- ALERTS
- External ALERTS
- Coordinated action Initiation
- Coordinated action Investigation & enf.

## IMI expansion continues:

- ❖ Free Flow of Data
- ❖ Firearms refusals
- ❖ RegProf
- ❖ **Mobility Package**
- ❖ Single Digital Gateway





**17** policy areas – **67** IMI modules

# IMI in numbers

- ❖ **81 700** exchanges took place in 2020, representing a **47 % increase** compared to 2019.
- ❖ The total number of exchanges sent through IMI reached now **296 000** since 2008, continuous growth
- ❖ More than **35.000+** registered users from more than **12.000** authorities
- ❖ In the last five years, the system usage has grown **370%**

# IMI website

## Internal Market Information System

Homepage

About IMI

Using IMI

Library

Statistics

Data Protection

Contact

Under EU single market laws, people and businesses have certain rights to move around the European Economic Area for work, study, trade, etc.

If your authority is involved in implementing [these laws](#) on the ground, you may need to **exchange information** with similar bodies in other countries.

The Internal Market Information System (IMI) enables you to do this.

For a brief explanation watch this **video**:



Video: All about IMI 

### Access to IMI

Only registered users can access the Internal Market Information System (IMI).

Login

### IMI Training System

If you are new to IMI and you want to familiarise yourself with the system, you can use our **training system**.

To do so, you first need to **register**.

Login

### Not yet registered?

Your registration request has to be approved by a [national IMI coordinator](#). Only competent authorities can request registration in IMI.

### News



30.07.2020



24.01.2020

[https://ec.europa.eu/internal\\_market/imi-net/index\\_en.htm](https://ec.europa.eu/internal_market/imi-net/index_en.htm)

# II Practical aspects of IMI

# The National IMI Coordinator

- ❖ Registers authorities in IMI
- ❖ Grants authorities access to specific modules
  - ❖ with coordinator or authority role
- ❖ Ensures registration of the first user
  - ❖ with administrator role
- ❖ Contacts on the IMI website: [https://ec.europa.eu/internal\\_market/imi-net/contact/index\\_en.htm](https://ec.europa.eu/internal_market/imi-net/contact/index_en.htm)



# IMI dashboard

EUROPEAN COMMISSION  
INTERNAL MARKET INFORMATION SYSTEM

Help National helpdesks Translation disclaimer English (en)

FIREARMS CENT AUTH IT User1 - Firearms Central Authority IT Logout

Menu Dashboard

Dashboard Refresh

Repositories & Directories

Alerts & Notifications

Search all forms  
Search by form  
Create notification

Authorities

Administration

Session Log

My reports

My translations

Change my password

Logout

**Notifications**

Summary of notifications which may require an action on your part

**Draft notifications 1**

**Recently updated notifications 1**

**Recently received notifications 8**

**Repositories & Directories**

Summary of repository entries requiring an action on your part

**Recently activated entries 3**

The dashboard: shows all recent activity  
Help: takes you to IMI website  
National helpdesks: takes you to a page with contact details of the National IMI helpdesks

# Basic features

- ❖ Search (authorities/notifications)

- ❖ Flexible criteria, results presented in a list which can be sorted, columns selected and deselected

- ❖ Excel Export

- ❖ Exported in Excel, used for statistics etc.

- ❖ Print-outs (reports)

- ❖ Exchanges can be printed as PDF reports



# Basic features

## ❖ Comments & Attachments

- can be added by any recipient - max file size 20 Mb

## ❖ Reuse

- allows you to create a new request by 'copying' the content of an existing one

## ❖ Emails

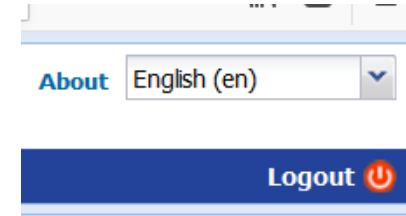
- automatically generated email for each new event



# Basic features

## ❖ Fully multi-lingual

- Display the screen in any of the official languages of the EU



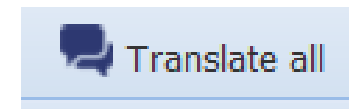
## ❖ Translate individual free text fields

- Translate a specific free text field to the language of your choice



## ❖ Translate all free text in an entry

- Translate all to the language in which the screen is displayed



# III IMI & the Mobility Package (three new Mobility modules)



# Mobility package I

- ❖ *Lex specialis* – [Directive \(EU\) 2020/1057](#)
  - ❖ Submission of on-line declarations of posted drivers to host country Directive 2006/22/EC
  - ❖ Information exchange on national interpretation and application of Regulation 561/2006
- ❖ *Conditions of establishment* – [Regulation \(EU\) 2020/1055](#)
  - ❖ Information exchange to check establishment criteria/letterbox companies Regulation 1071/2009

# Mobility package I

- ❖ Mobility Package I texts adopted:

- ❖ *Lex specialis* entered into force 1st of August 2020

- ❖ Regulation on Access to profession on 20th of August 2020

- ❖ Implementing act for public interface: **1st of October 2021**

- ❖ Entry into application:

- ❖ *Lex specialis* and public interface: **2nd of February 2022**

- ❖ Information exchange on checking the establishment criteria of companies: 21st of February 2022

# Posting of drivers – Front office/Back office

**Front office = Public interface connected to IMI**



**Access:** Economic operator **only**

**Scope/functionality:**

- Submit/manage posting declarations
- Receive notifications that Host country asked documents in IMI
- Submit documents requested by authorities ...

Posting declarations



Request for documents

Documents provided by operator

**Back office = IMI**

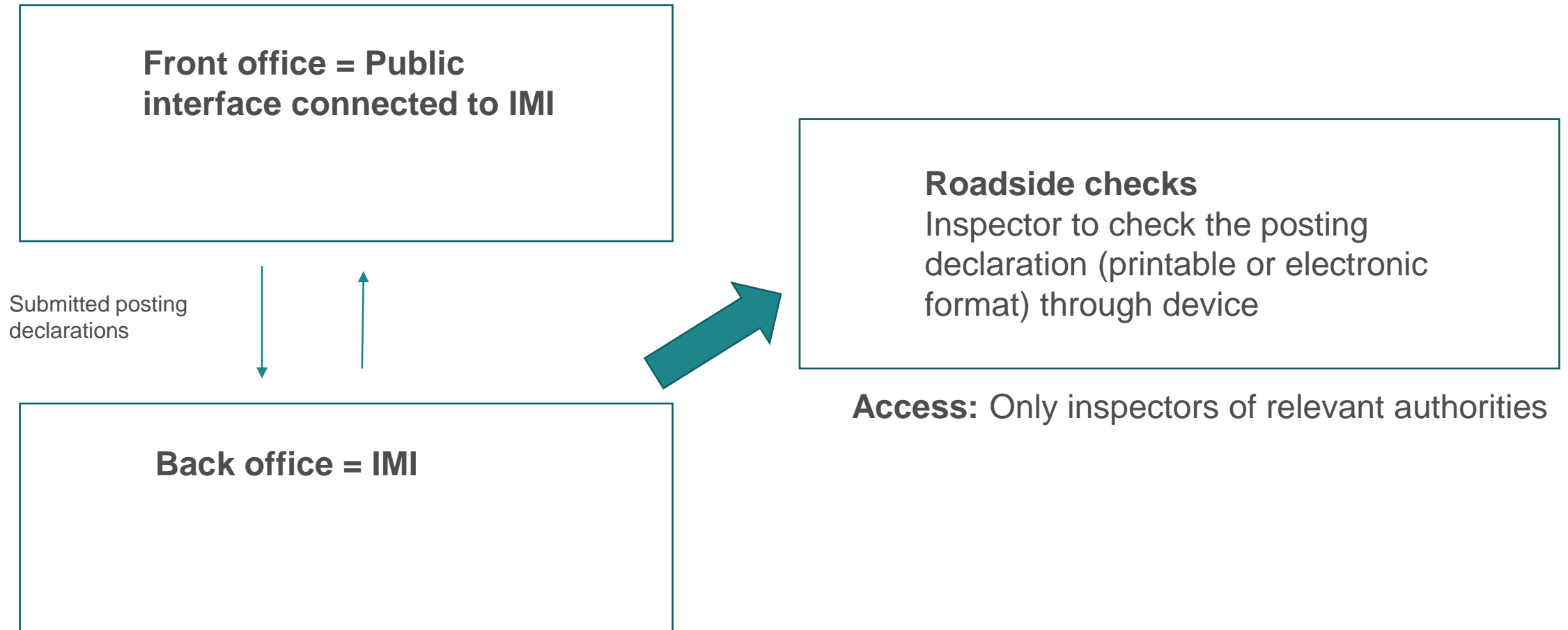


**Access:** National competent authorities **only**

**Scope/functionality:**

- Authorities consult the posting declarations
- Request & receive documents from Host/Home Country
- Requests and receives documents from the operators...

# Posting of drivers – Roadside checks



# 1. Posting of drivers

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INTERNAL MARKET INFORMATION SYSTEM

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TEST be - test\_peterBE Logout

Menu

- Dashboard
- Archived Requests
- Requests
- SOLVIT MR
- Notifications
- Posting of Declarations**
  - Search
- Authorities
- Administration
- Session Log
- My reports
- My translations
- Change my password
- Logout

Dashboard

**Requests**

Summary of requests, which may require an action on your part

**There are no requests pending an action on your part**

- RTPD - Posting Declarations
- RTPD - Request for Documents

**Self-registered authorities**

Summary of self-registered authorities

**There are no registrations pending an action on your part**

**Road Transport Declarations**

This is a summary of the Road Transport Declarations on which your authority should take action. Please click on a number to see details.

- [Pending requests for documents](#) 9
- [Requests for documents - home assistance available](#) 1
- [Recently updated declarations](#) 7

**Notifications**

Summary of notifications which may require an action on your part

- [Draft notifications](#) 9
- [Notifications to be approved](#) 1

**SOLVIT MR - Mutual recognition cases**

This is a summary of the SOLVIT - Mutual recognition cases on which your authority should take action. Please click on a number to see details.

**You have no pending cases**

Refresh

# 2. Conditions of establishment

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INTERNAL MARKET INFORMATION SYSTEM

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TEST be - test\_peterBE Logout

Menu

- Dashboard
- Archived Requests
- Requests**
  - Search all forms
  - Search by form
  - Create request
- SOLVIT MR
- Notifications
- Posting of Declarations
- Authorities
- Administration
- Session Log
- My reports
- My translations
- Change my password
- Logout

Dashboard

Requests

European Judicial Network - Request  
RT - Conditions of Establishment  
RT - Social Rules

Notifications

Summary of notifications which may require an action on your part

[Draft notifications](#) 9  
[Notifications to be approved](#) 1

Self-registered authorities

Summary of self-registered authorities

There are no registrations pending an action on your part

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[Requests for documents - home assistance available](#) 1  
[Recently updated declarations](#) 7



# 3. Social Rules

EUROPEAN COMMISSION  
INTERNAL MARKET INFORMATION SYSTEM

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TEST be - test\_peterBE Logout

Menu

- Dashboard
- Archived Requests
- Requests**
  - Search all forms
  - Search by form
  - Create request
- SOLVIT MR
- Notifications
- Posting of Declarations
- Search
- Authorities
- Administration
- Session Log
- My reports
- My translations
- Change my password
- Logout

Dashboard

Requests

European Judicial Network - Request require an action on your part

RT - Conditions of Establishment require an action on your part

**RT - Social Rules**

Notifications

Summary of notifications which may require an action on your part

[Draft notifications](#) 9

[Notifications to be approved](#) 1

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[Requests for documents - home assistance available](#) 1

[Recently updated declarations](#) 7

# 3. Social Rules

EUROPEAN COMMISSION  
INTERNAL MARKET INFORMATION SYSTEM

Help National helpdesks Translation disclaimer Privacy statement English (en)

USER test - POWEL1

Menu Dashboard

- Dashboard
- Archived Requests
- Requests
- Repositories & Directories
- Notifications**
  - Search all forms
  - Search by form
  - Create notification
- Posting of Declarations
- Authorities
- Administration
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**Requests**

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[Draft notifications](#) 1

[Recently received notifications](#) 5

**Self-registered authorities**

Summary of self-registered authorities

**There are no registrations pending an action on your part**

**Road Transport Declarations**

This is a summary of the Road Transport Declarations on which your authority should take action. Please click on a number to see details.

**You have no pending declarations**

PW - Communication of possible irregularities

**RT - Social Rules Notification**

# Mobility Package - trainings

- Trainings in December 2021 for all three modules (back office):
  - 6 & 7 December – Enforcement of Posting of Drivers (*Lex Specialis*)
  - 13 December – Conditions of Establishment (letterbox companies)
  - 15 December – Interpretation of Regulation 561/2006 (social rules)
- Separate trainings and information campaign for transport operators on the public front office (14-16 December)

# Mobility Package - trainings

- Train the trainers format; two participants per MS
- Trainings in English
- Half day training:
  - Policy intro
  - Introduction to IMI
  - Demo of the Exchange
  - Q&A

# Thank you



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# 10. Controls of posting declaration at roadside

**DG DIGIT**





# 11. Questions and answers on IMI and its use





## 12. Concluding remarks

**Malcolm Scicluna**  
ELA Head of Unit  
Cooperation Support Unit



# FEEDBACK (REMINDER)



17 January 2022



**[ROAD-TRANSPORT@ELA.EUROPA.EU](mailto:ROAD-TRANSPORT@ELA.EUROPA.EU)**





Thank you!

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