

On the basis of Article 39 of the Law on working hours of the mobile workers in the road transport and the recording devicesa in the road transport ("Official Gazette of the RM" No.140/2018), the Rulebook on the form, content and the method of keeping records on the issued memory cards ("Official Gazette of RM" No. 18/10), the Rulebook for the detailed requirements regarding the necessary devices and equipment of the legal persons for getting a public authorization for doing works on the issue of memory cards (“Official Gazette of RM" No. 18/10) and the Rulebook on the form and content of the application and the procedure for the issue of a memory card (“Official Gazette of RM" No. 211/2016), the Ministry of Transport and Communications, announces

**PUBLIC NOTICE**

**for granting a public authorization for doing works on the issue of memory cards**

The works for the purpose of the issue of memory cards under the Law on working hours, required rests of the mobile workers and drivers in the road transport and the recording devices in the road transport are carried out by an authorized legal person (hereinafter: cards issuer).

**Authorization for the cards issuer**

The public authorization for doing works on the issue of memory cards includes:

- implementing of procedures for the issue or withdrawal of cards, including the method of the issue of cards, keeping records as referred to in Article 25 of the Law on the working hours, required rests of mobile workers and drivers in the road transport, as well as the recording devices in the road transport and the issue of the recorded data, and

- doing works related to generating of the necessary electronic keys required for production of the memory cards.

Public authorization for doing the works on the issue of memory cards can be granted to a legal person on the basis of a public notice.

The public authorization for the cards issuer is valid for 15 years.

For the purposes of doing the works on the issue of the cards, one legal person / only one cards issuer can be authorized.

Duration of the public notice shall be until 29 December 2022, by 12:00 hours.

**Requirements for granting an authorization to the issuer of cards**

The Minister of Transport and Communications grants a public authorization for doing works on the issue of memory cards to a domestic or foreign legal person that fulfills the following conditions:

- to have at its disposal appropriate offices on the territory of the Republic of North Macedonia, owned or under lease, to carry out the works,

- to have employed at least 5 (five) persons with higher education (Faculty of law, economics, traffic engineering, mechanical engineering, mathematics (major of Computer Science) or Faculty of Electrical Engineering),

- to have employed at least 3 (three) persons with secondary school education,

- to have at its disposal appropriate equipment on the territory of the Republic of North Macedonia related to carrying out the works stated in the public authorization,

- not to be a workshop in terms of this law,

- not to have against the legal person any initiated bankruptcy proceedings or liquidation procedure or any infringement measure pronounced - prohibition to carry out the activity,

- the manager or a management board member, as well as the responsible person authorized by the legal person should not have been employed in the last 5 (five) years with the cards issuer to whom the authorization for the issue of cards has been withdrawn,

- the authorization of the cards issuer as well as of his legal successor should not have been withdrawn in the course of the last 5 (five) years, and

- to have financial insurance (funds deposited at a bank or bank guarantees from a first class bank) for legal and quality performance of the service stated in the authorization, at least an amount to cover the expected costs of the Ministry of Transport and Communications related to possible withdrawal of the authorization, for issuance of a new authorization and carrying out the works of the cards issuer in the Ministry of Transport and Communications until the moment of authorizing a new legal person on the issue of the cards, amounting to 6.170.000 MKD for the whole period of the duration of the public authorization.

In addition to the fulfillment of the previously stated conditions, the foreign legal person should have established a subsidiary at the territory of the Republic of North Macedonia.

Cards issuer must meet the conditions for granting the authorization all the time during the period of validity of the public authorization.

The conditions and the criteria for the issuance of a public authorization to the cards issuer are described in more details in Annex 1, which is an integral part of this public notice.

**Criteria for selection**

Criteria for selection of a legal person to be granted a public authorization are as follows:

- the anticipated average costs of issuance of each card, where more points are obtained for the lower average costs (50 points).

- deadline for the start of doing the works for which it is authorized, where more points are obtained for shorter time limit offered (20 points),

- conditions for offering the services related to the working time with clients, the method of submission of an application for the issue of cards, assistance and information offered to the clients, where more points are obtained for better conditions to work with the clients. (30 points)

The points for the criteria of this article are given so that the criterion of indent 1 of this article bears the most of the points, and the criteria of indent 2 of this article bears minimum points.

The selection procedure is carried out by a Commission established by the Minister of Transport and Communications, which, upon the implemented procedure, submits a proposal to the Minister of Transport and Communications for the selection of a legal person which is to be holder of the public authorization.

Selection procedure will be implemented even if only one legal person submits an application to the public notice.

**Decision for granting of a public authorization**

Decision for granting of a public authorization for carrying out works on the issue of memory cards is taken by the Minister of Transport and Communications at proposal of the Commission.

An appeal against the decision can be submitted within 8 (eight) days to the State commission for settling of administrative matters in the second degree.

The Decision for granting a public authorization shall be published in the “Official Gazette of the Republic of North Macedonia".

Based on the Decision, the Minister of Transport and Communications and the legal person, holder of public authorization, conclude a contract for governing the mutual relations.

The parties interested to take part in the public notice are supposed to submit an application for participation in the public notice. The application for participation in the public notice is to be submitted with all the necessary supporting documentation as stated in this public notice, directly to the Archives of the Ministry of Transport and Communications, Ul. Plostad Crvena Skopska Opstina No. 4, 1000 Skopje, Republic of North Macedonia, at latest on 29 December 2022 until 12.00 hours. Opening of the applications for participation in the public notice will be done in public in the premises of the Ministry of Transport and Communications, on 29 December 2022 at 12.00 hours.

At the opening of applications for participation in the public notice, the presence of authorized representatives of the bidders is allowed by handing an Authorization for attendance validated and signed by the responsible person in the legal entity.

The interested parties can obtain Annex 1 – Public notice documentation for granting a public authorization for doing works on the issue of memory cards (MKD-CIA, MKD-CA, MKD-CP) (in Macedonian language only), in the Archives of the Ministry of Transport and Communications or on its web site: [www.mtc.gov.mk](http://www.mtc.gov.mk)