



**ZVÁZ LOGISTIKY A ZASIELATEĽSTVA  
SLOVENSKEJ REPUBLIKY**

# **Information Brochure**

(How to verify the Slovak carrier)

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## How to verify the Slovak carrier

In the recent times, organised groups of criminals are active in the road haulage transport, especially in Central and Eastern Europe, who abuse the freedom of enterprise and the openness along with non-transparency of transportation services in the EU. By means of this information brochure we would like to contribute to making it possible for the EU citizens to defend themselves against criminals known as "ghost carriers, fraudulent carriers", or those whose activity is referred to as "fictitious pickup, deceptive pickup". These perpetrators, under different identities of transport companies, shippers<sup>1</sup> and logistics companies pick up goods intended for transport and do not deliver, but steal them.

In their work, they use the growing pressure on prices of road freight transport and also the action of transport databases on the Internet. The Internet transport databases allow Transporters<sup>2</sup> to load shipments to vehicles of carriers not known to them<sup>3</sup> who, thanks to the location of their vehicles close to the place of loading or from other reasons, offer better rates for the carriage than carriers known to the transporters which they would normally use.

The perpetrators of these crimes make a very effective use of time and time constraints, in which almost all road haulage dispatchers have found themselves in when unable to find a suitable vehicle for transporting goods to a consignee<sup>4</sup> and the goods should be delivered or picked up in a certain time.

In general one could say that the goods would be only loaded to carriers whom the consigner has checked and verified<sup>5</sup> thoroughly. In practice, however, we encounter the every day's situation in which the consigner must find a vehicle and the carrier must find a load. Given the fact that high workload is the condition for efficiency in truck haulage, Slovak carriers need to find work for their vehicles on the return journey from Spain which means that someone in Spain must believe them that the goods will not be stolen and, of course, must verify them in advance. The Slovak carrier, in turn, must believe that the Spanish consigner will pay for the work. Forwarding networks play an important role in this verification. Nevertheless, there are situations occurring regularly in which it is possible to load goods only to carriers whom the consigner has not worked with yet.

Therefore, verification of identity of road carriers, drivers and vehicles of road freight transport cannot be avoided so as not to impair the economic and environmental parameters of transport and the quality of service provided to the customer - the transporter.

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1 Forwarding - procurement of goods transport or other services related to transport under one's own name and at someone else's account (STN 018500)

2 Transporter - a general name referring to a consigner and a consignee (STN 018500, Slovak Technical Standard)

3 Carrier - a legal or natural person, operating a transportation service for someone else's or its own needs (STN 018500)

4 The consignee - is a legal or natural person to whom the shipment is addressed to under the carriage contract (STN 018500)

5 Consigner (sender) - a legal or natural person who enters into a contract for the transport of goods with a carrier (STN 018500)

We should, however, follow certain principles in this. We will try describe the ways how to proceed and verify the Slovak carriers and shippers, for the needs of Slovak carrier's customers, to distinguish reputable and established companies from the above-mentioned fraudsters. Although it is not possible to exclude that the fraudsters will succeed even when utmost care is taken, this will at least increase the chances that the offender will be identified as soon as possible, and the consigner will have a proof of having taken due care as much as possible in arranging the carriage<sup>6</sup>.

It is necessary to verify the identity of drivers hired by the consignee (under EXW terms of delivery, etc..), in case of doubt, however, it is necessary to use the consignee's verification and assurance.

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6 Section 603 of the Commercial Code no. 513/1991 Coll

## 1. Principles of verification

### 1.1 Completeness

When examining a new carrier, **all** available information must be checked. Completeness is important not only to detect an attempt to steal shipments fraudulently, but also for subsequent proof of due professional care in the selection of the carrier. Due professional care is always considered when a damage occurs as a result of the shipment's theft by a "phantom".

The fraud perpetrators have reached a high degree of skill in frauds involving false identity and deceptive pickup of goods. The chances for carriers and shippers to defend are minor under the conditions set by the EU legislation and rules in the Schengen area. In some cases, the perpetrators have infiltrated the information system of the shipper, or an operator of container terminal, and obtained the shipment using interventions in the information systems of entities who were at that time in possession of the goods. Therefore, it is necessary proceed with utmost responsibility, because there is often only one or two suspicious facts to warn a victim of a fraudster. Therefore, there is nothing we can neglect.

When verifying and selecting a carrier we are often just looking for signs that might warn us of a fraudster, which in themselves need not mean that it is certainly a scammer. However, more signs combined increase the likelihood of a potential scam, and should warn the transporter - the consigner that there is an increased risk. Under the precautionary principle, the transporter/consigner should not consign the shipment to a carrier with reduced credibility.

### 1.2 Consistency of information

**All** the information verified must be consistent. Differences between the carrier-submitted documents and the documents and information obtained from other sources mean probability nearing certainty, that this is some form of fraud or forgery of documents. It is possible that a difference occurs even in a normal company, however, it is very rare.

Since the examination is intended to eliminate risks, we can only work with carriers without any discrepancies in the documentation. In many frauds committed by "phantom carriers" variations between forgeries would be found later on and there were also facts which could have indicated that a false identity was used.

Unless everything is in absolute conformity, the right decision is to avoid loading goods to such a carrier.

### **1.3 Sources of information**

It is very important to use a well-proven verified sources of information. For each source we must bear in mind whether such information is guaranteed or just informative. We must also take into account the fact that many sources of information do not always contain up-to-date information, but updated at some regular intervals.

However, we must always verify the information via other channels than those offered by the carriers being screened.

Public and government-verified resources are the best ones. However, they are not always sufficient, so we perform further verification into the sources of insurance companies, telephone operators and our own trading partners.

#### **1.3.1 Sources of information provided by state institutions**

There are certain limitations on the websites of state institutions that reduce their informing capacity and usability, which must be taken into account when evaluating the information obtained.

Firstly, changes in these sources are transferred in certain batches and at certain intervals. Especially, in the case of security services, on-line linkage between the websites and real databases which these security services work with is not possible, therefore, two databases are maintained.

Another cause is the process of transferring or creating a record which takes some time. E.g. there is a certain period of time from reporting a lost passport until adding it into the database of lost and stolen documents, and, moreover, the loss may not be found or reported immediately by the document's holder.

Furthermore, the information presented on the Internet, provided by state institutions, such as the Companies Register, are to be considered as for information only and not legally binding. However, due to the lack of time for verification using the standard procedure such warnings must also be taken into account very seriously and it is better to prefer another carrier for loading the goods later for which there is no doubt that to lose the goods.

Many state institutions do not have the statutory obligation to exchange information and many may provide information in a precisely specified form, scope and only to entities specified by law. State institutions may only act strictly within the legal rules, therefore, there are situations in which information is not transferred. For instance, due to some legal restrictions it is not possible to make any changes in the database of Euro Licence holders of

the Ministry of Transport, Construction and Regional Development of the Slovak Republic ([www.erru.sk](http://www.erru.sk)) before the conditions are not met of the Act no. 56/2012 Coll. on Road Transport and the Act no. 300/2005, Coll., the Criminal Code. There was a case when a suspected company whose name had occurred in several cases of lost consignments, was included in this database for long time after the said incidents. Given the presumption of innocence and pending investigation of the case, the competent authorities have not erased the company mentioned from the electronic registry of transport companies.

Therefore, it is necessary to really check everything.

### **1.3.2 Sources of information provided by other institutions**

For such information, the situation is even worse. The quality of information varies and it often contains unverifiable information.

However, if there are warnings about the carrier in the Internet databases (RAALTRANS, TimoCom etc..) dealing with transportation of goods, these warnings must be taken very seriously, as these sources examine the companies presented in their own interest, and often have information about the obnoxious behaviour of entities from their users as well. The fact that a carrier under verification is included in a certain company's website does not mean that the carrier is blameless. It means that it may be blameless, but also that the problems with the integrity have not been found out yet.

Again, we must realise that we are checking a carrier to whom we are about to consign considerable value in the goods and any doubt increases the risk of a loss of the goods.

### **1.4 Police cooperation**

In case of any doubt, it is better not to consign the order to the carrier and if doubts arise, it is better to suspend loading and contact the Police of the Slovak Republic. If the suspected carrier has already loaded the consignment in the territory of the Slovak Republic, it is necessary to contact the 158 phone line.

## **2. What to verify?**

### **2.1 Driver's identity**

Not always when a shipment got stolen the identity of the driver was fake. There have been cases when people worked with the perpetrators who did not hide their identity. These were the drivers hired to transport the individual consignments. They sometimes did not even know that they were involved in fraud.

For natural person – in Slovakia, the driver may be discharged of liability by reference to the employer's alleged command to the driver. Although a professional driver should know the legal rules and international agreements and repetition of highly non-standard shipments should be noticeable to him or her, the court acquitted the drivers in documented cases of loss of goods.

This interpretation of the CMR Convention says that when a vehicle is left unattended at the road, in the case of damage to the goods or loss of the goods, the driver's and the carrier's conduct equals the intent and the driver and the carrier is not subject to the provisions of Chapter IV of the CMR Convention which exclude or limit the liability of the carrier, shorten the limitation period, or transfer the burden of proof to the other party in a legal dispute.

It should be said that there was also a case where the driver reported suspicious carriage of load to the police, when he repeatedly, as instructed by the employer, left the goods in trailers at various locations, usually at motorway parking lots and the like.

To make the verification more difficult, drivers start to be hired from a different country than the carrier's country or the country of the entity ordering the transport. Here the offender intend to make the communication between the loading company and the driver more difficult, as well as to impede the verification of the carrier's identity and to create time stress when loading.

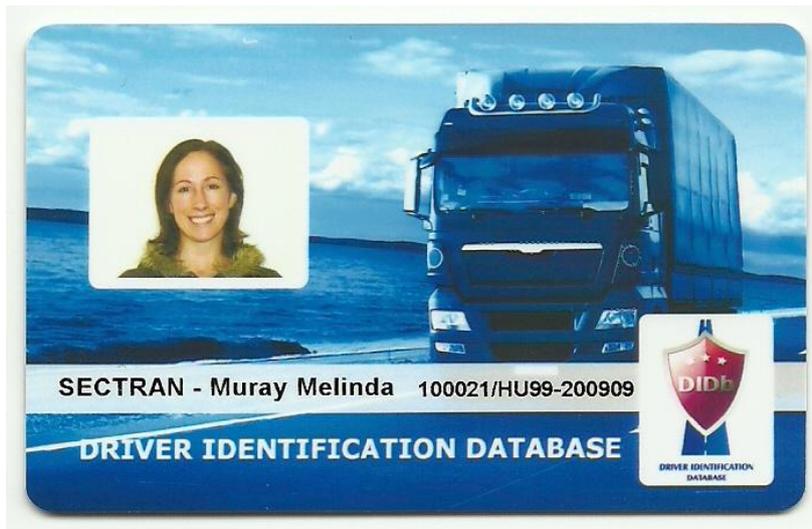


Fig.1

Many companies which want to prevent fraud, have introduced their own identification cards for verified drivers that allow to eliminate greatly the risk of fraud (Fig.1).

In the case of the AlfaPass (Fig. 2) system used in the Netherlands the identification of a person also includes his or her fingerprint in the digitised form. This may be quite easy to check nowadays using common equipment whether the card holder and the person presenting the card are the same person. The use of these documents and verification method is governed by specific rules specified by the companies who have switched over to the use of such documents.



Fig.2

For all documents issued by the Police Corps of the Slovak Republic (driving license, identity card, passport) it is possible to check the security features on the website of the Ministry of Interior of the Slovak Republic: <http://www.minv.sk/?vzory-dokladov>.





Fig. 4

## 2.1.2 Passport

At present, there are several types of passports used in the Slovak Republic published on the website of the Ministry of Interior of the Slovak Republic <http://www.minv.sk/?cestovne-pasy>, where you can check the security features. Passports are used a lot less by the fraudsters than the identity cards. Passport with expired validity period is unacceptable, because it is not valid according to the Act on Travel Documents.

The perpetrators prefer carriages where they are not forced to undergo customs and passport check and therefore passports have been used less often in the documented cases.



Fig. 5

It is necessary to check the security features on the website of the Ministry of Interior of the Slovak Republic:

<http://www.minv.sk/?vzory-dokladov>.

### 2.1.3 Lost and stolen personal documents

In the case of passports and identity cards it is possible to check the <http://www.minv.sk/?stratene-a-odcudzene-doklady> website whether the document has not been lost or stolen.

It must be noted that if a document is not listed on the website it does not exclude the possibility that the document is forged or altered. **Unfortunately, this page provides the same response for a genuine document as for a document with a non-existent number.** The site does not inform that a document with such a number does not exist.

Moreover the fabricator could use a number and data of an existing document that is issued to a different name when making or altering a document.

Similarly, the database will not include a document where the owner did not report its loss.

### 2.1.4 Driving License

Currently, two versions of driving licenses are used in the Slovak Republic. Driver's license (Fig. 6) and older driver's license (Fig.6B) issued since January 1<sup>st</sup>, 1993, until April 30<sup>th</sup>, 2004.

The first specimen includes on the front the personal data of the holder, the date of issuance, the seat of authority issuing the license and driver's license number, signature of the holder, groups of driving permits, a blue rectangle with 12 stars in a circle with the letters SK. The back includes all groups and subgroups of the driving license showing the date of the issuing the driving permits and restrictions in the form of harmonised codes. The details concerning the new version of the driver's license are provided in the Decree of the Ministry of Interior of the Slovak Republic no. 9/2009 Coll. implementing the Act on Road Traffic and on amendments to certain acts.

In connection with the accession of the Slovak Republic to the European Union, new licenses are issued since May 1<sup>st</sup>, 2004, issue, at the departments of documents of the police's district headquarters of the Police Corps.

Driving licenses issued from January 1<sup>st</sup>, 1993, to April 30<sup>th</sup>, 2004, will be valid until December 31<sup>st</sup>, 2023. Driving licenses issued from May 1<sup>st</sup>, 2004, to January 18<sup>th</sup>, 2013, will be valid until December 31<sup>st</sup>, 2032. It should be noted that the driver's licenses issued since May 1<sup>st</sup>, 2004, underwent several alterations and the specimen presented need not match a presented driver's license even though it was issued after April 30<sup>th</sup>, 2004 (layout of data, as well as the security features of the driver's license may be different).



Fig.6

VODIČSKÝ PREUKAZ - PERMIS DE CONDUIRE	
<p>Fotografia 3,5 x 4,5 cm</p> <p>8. Evid. číslo SD <b>120073</b></p> <p>9. Podpis L. S.</p>	1. Priezvisko
	2. Meno
	Rodné meno
	3. Dátum narodenia
	Miesto narodenia
	4. Bydlisko
	5. Vydal
6. v	
dňa	
7. Platí do	
11. Platí pre skupiny	<b>A B C D E T</b>

Fig.6B

The information on the driving license must be identical to the data on the identity card and other documents. It is important to check the validity in time and force for the given class of motor vehicle (this applies to driving licenses issued from January 19<sup>th</sup>, 2013).

## 2.1.5 International Driving Permit

The International Driving Permit is issued only to a holder of a valid driving license, which was issued in the Slovak Republic under:

- a) Convention on Road Traffic signed on November 8<sup>th</sup>, 1968, in Vienna (the Vienna Convention),
- b) Convention on Road Traffic signed on September 19<sup>th</sup>, 1949, in Geneva (the Geneva Convention).

Under the Vienna Convention, the International Driving Permit license shall be issued with a validity of three years and, under the Geneva Convention, it is valid for one year.

The International Driving Permit does not entitle its holder to drive motor vehicles in the Slovak Republic, where it has been issued in the Slovak Republic, or if it is issued in a foreign country and its holder resides in the territory of the Slovak Republic.

International Driving Permit is a book with dimensions of 14.8 cm x 10.5 cm. Its first and last pages which form the book's cover are grey; the pages inside are white. The International Driving Permits includes personal information about the holder in the following scope: name, surname, title, date and place of birth of the holder, municipality of residence and extent of driving permits pursuant to the valid driving license, including any restriction on the scope and other restrictive conditions to drive motor vehicles (Fig.6C) <http://www.minv.sk/?vzory-dokladov-vodicske-preukazy>.



International Driving Permit also includes:

- a) facial image, which must be made in civilian clothes, without a hat and glasses with dark lenses, in appropriate cases, due to health or religious reasons the photograph of the face may be with a cover on the head which must not obscure the face in a way that would make it impossible to identify of the applicant for the International Driving Permit,
- b) the signature of the holder of the International Driving Permit.

An International Driving Permit is invalid if its holder has ceased to hold a driving license, or if the driving license is invalid.

### **2.1.6 Driver's signature**

It is necessary to insist that the driver fills in all information in the transport document legibly, including his or her name and other data. If the identification of personal data did not matter there would not be space made in the CMR international consignment note to fill in this data. Completion of data in legible form is also necessary for the purposes of the subsequent tax inspections.

The data must be in line with other personal data. Therefore, the driver's signature may and must be compared with the signature on the identity document or other documents.

In the case of long-term contracts with the same carrier any of the electronic systems operating with the so-called biometric signature can be used, capable of comparing and evaluating two signatures and identify counterfeiters with high probability. Usually, branch offices of the Tatrabanka bank are equipped with these. In practice, however, they are rare in warehouses.

Nevertheless, comparing the driver's signature on the identity document with the signature on the consignment note (CMR) is a useful aid if the offender uses altered, lost or stolen identity document. In case of doubt, it is necessary to perform a thorough identity verification by internal regulations of the company, in the case of greater doubts contact the Police of the Slovak Republic. The driver accepts goods of great value and identity verification in view of the situation in the EU can not be regarded as inadequate.

### **2.1.7 Health insurance card**

A health insurance card (Fig. 7) contains personal information of the driver and can be compared with the driver's identity card. This document is usually a part of the driver's travel package due to the fact that international haulage driver spends a large part of the time on the

road and the risk that medical treatment abroad will be needed is higher. Therefore, we use it as a supporting document to prove the identity.



Fig.7

This document would be used for a totally unknown driver and if the driver does not have it on him or her, it does not mean that he or she is a deceiver. However, it is unusual for a driver who is generally on the road for longer periods of time, not to have such a document with himself or herself.

However, if the driver refuses to show the health insurance card to be compared with an identity card, it is a serious security risk. If the data on the card is in contrast with the data on the personal documents, it is most likely a scam.

### 2.1.8 Driver's statement

In the case of the so-called "dummy" carriers, individuals who only "perform their duties" it is reasonable to have the driver sign the following statement when loading:

*I declare that I have been given instructions from my employer or the entity ordering the carriage, which are fully consistent with the contents of the CMR consignment note, number ..... signed by me. .*

*I have not been given any instructions and I am not aware of any facts that would suggest that the carriage is not to be carried out exactly according to the CMR consignment note.*

*I am aware that the goods loaded are the property of the consigner and only the consigner is authorised to change the instructions concerning the carriage under Article 12 of the CMR Convention.*

*I am obliged to perform the carriage by myself, without any reloading or changing the driver, following the instructions provided in the CMR consignment note, and I will reject any instructions to change the route or the unloading location and report these to:*

*During the carriage, I will park in secure parking areas listed on the IRU website.*

*I am also aware that as a result of providing a false statement in this declaration, unloading the goods at a different location than specified in the consignment note (CMR), or handing the goods over to another entity than the consignee provided in the consignment note (CMR), I may become an accomplice in the criminal act of fraud under Section 221, defraudation under Section 213 of the Penal Code or a tax-related or other offence.*

Reluctance to sign such a statement is a reason for a more thorough verification.

## **2.2 Vehicle**

In the frauds we are dealing with, vehicles with a fake or stolen registration number (license plates) from other vehicles (including passenger cars), from stolen vehicles or leased vehicles (vehicles owned by leasing companies, owned by other companies) are used often as well.

To avoid the risk at verification when loading with false licence plates, the perpetrators sometime sent another carrier's vehicles for loading rented for carriage only for a part of the route, then the goods are moved to other vehicles. Short-term leased vehicles (trailer tractors) are used frequently to pull the trailer provided by perpetrators to their designated location, from which it is transported by another carrier of the perpetrators themselves.

Recently, there have been cases when offenders had purpose-built companies established for road haulage and which acquired vehicles for a period of several weeks by renting or an operating lease.

There are the following identification (recognition) signs of vehicles:

1. License plate (registration number),
2. VIN,
3. Euro-license for carriage,
4. other data such as the type, model, and colour of vehicle.

### **2.2.1 Registration number of the vehicle (license plate)**

A vehicle's registration number (license plate, EČV, formerly ŠPZ) is used for quick identification of the vehicle. Perpetrators often use stolen registration number plates. In some cases, license plates of passenger vehicles were used for freight motor vehicles or fake

registration numbers, or a registration number identical with one of similar vehicle of another carrier whose identity was used by the perpetrators in the particular case.

Sample registration numbers used on vehicles in the Slovak Republic are given on the website of the Ministry of Interior of the Slovak Republic <http://www.minv.sk/?vzory-tabuliek-s-evidencnym-cislom-pridelovane-na-vozidla> (Fig. 8).



Fig. 8

The vehicle can be checked if it has not been stolen on the website of the Ministry of Interior of the Slovak Republic <http://www.minv.sk/?odcudzene-mot-vozidla> where the system generates, after entering the input data, whether the vehicle or the vehicle's registration number have not been stolen. Similarly, we check whether stolen registration number plates or a registration number of a stolen vehicle has not been used (Fig. 9).

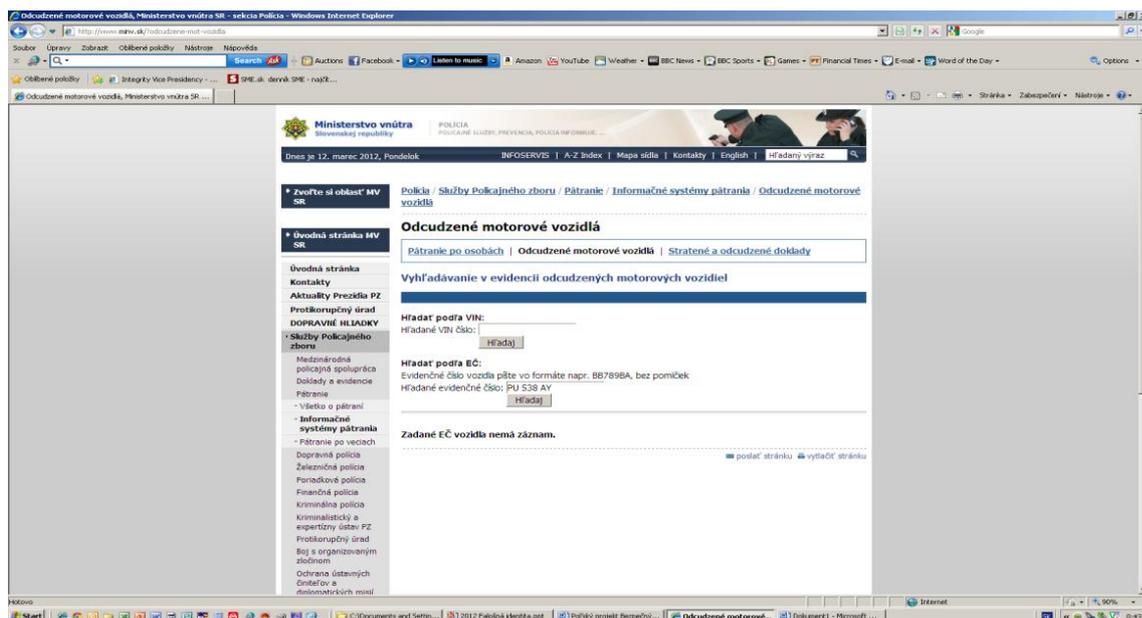


Fig. 9.

It is very useful to verify the vehicle's registration number by inspecting the data from mandatory liability insurance of the docked vehicle at <http://www.skp.sk/> (Fig. 10). Before checking, we ask for a document on the mandatory liability insurance.

We enter the vehicle's registration number in the database at <http://www.skp.sk/> and compare data on the type of vehicle provided by the page with reality and the carrier-submitted documents. A different type of vehicle, or other information on this website in contradiction with the other data on the vehicle's documents, data of the carrier and reality, suggest that in this case it is most likely a deception.

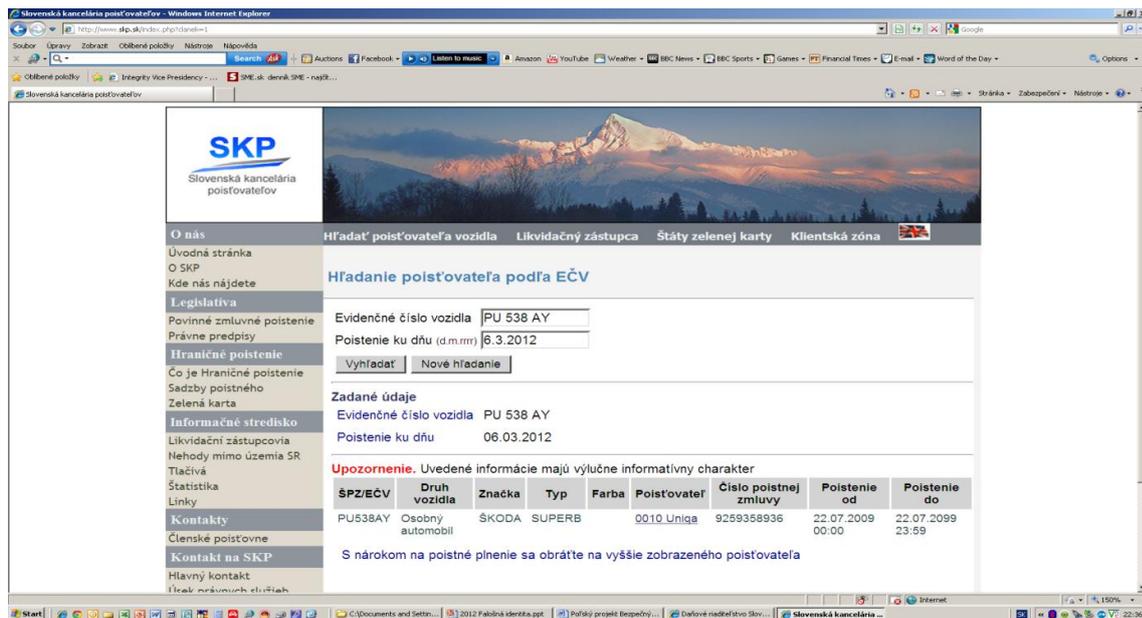


Fig. 10

It is worthwhile to try to determine whether the insured carrier is also provided in the policy of the insurance company. Using the liability insurance of the vehicle it can be verified whether the owner of the vehicle, the registration number and the vehicle type specified in the policy corresponds to the entity and the vehicle data provided in vehicle's registration card.

## 2.2.2 Registration certificate - Registration card

An examination of the vehicle registration certificate, the so-called registration card, is one of the best tools to verify the transport company. It shall be conducted in such a way that the vehicle identification number (the "VIN") provided in the registration card is compared with the VIN on the vehicle itself, and it is determined whether the data are not in conflict and if the registration card is not fake.

The main identification data of the vehicle is the Vehicle Identification Number (VIN). This number is assigned to a vehicle when it is manufactured and is usually stamped or

hammered on the body or frame of the vehicle, marked on the nameplates and in newer vehicles also on a label on the windscreen. It is best to check both numbers.

The VIN is described by the International Standard ISO 3779 – 1983. The first WMI section consists of three characters that are assigned by the competent national authorities in cooperation with the ISO and uniquely identifies the vehicle's manufacturer. The first character indicates the geographical area, the second one the country (or directly of the manufacturer identification within the geographical area) and the third one refers to the manufacturer.

The second VDS section consists of six characters that describe the characteristics of the vehicle such as make/type, model, equipment and so on. The structure is not clearly defined by the standard, it varies depending on the manufacturers.

The last section - VIS, is used by some manufacturers to provide the year of manufacture or the model year usually by a character in the first position of the VIS section (the eighth character's position from the right - to the end of the entire VIN, or the tenth position from the left - from the beginning of the entire VIN). According to the standard, the data is optional.

Some specimens of vehicle registration certificates and technical licenses can be seen on Figures 11 to 15.



Fig. 11. Registration certificate issued since June 1<sup>st</sup>, 2010



Fig.12 Registration certificate Part II - issued since June 1<sup>st</sup>, 2010



Fig.13 Registration certificate - issued since March 1<sup>st</sup>, 2005 to May 31<sup>st</sup>, 2010



Fig.14 Registration certificate - issued since September 1<sup>st</sup> , 2000 to February 28<sup>th</sup> , 2005

After inspecting the VIN the transporter checks the registration card and the proprietary relationship of the owner and the vehicle at <http://www.skp.sk>, while using other sources as well. Unwillingness of the driver to cooperate in the VIN verification procedure can mean not only his or her laziness, but also an effort to avoid detection, or a deception.

Sample registration documents for vehicles issued at present and in the past in Slovakia can be found on the website <http://www.minv.sk/?vzory-dokladov-evidencia-vozidiel>.

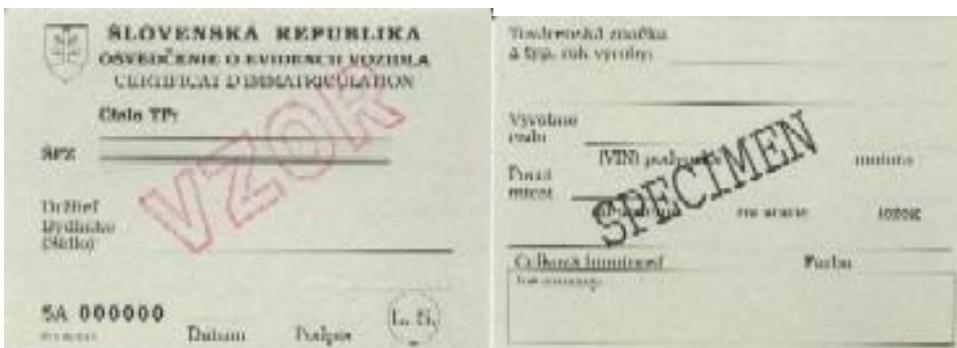


Fig.15 Registration certificate - issued since 1993 until August 31<sup>st</sup>,2000.

### 2.2.3 Other sources

The <http://www.ltprofit.sk/> (Fig. 16) and <http://www.seka.sk/> (Fig. 17) are very useful tools for checking vehicles.



Fig.16

At [www.ltprofit.sk](http://www.ltprofit.sk) it is possible to verify the vehicle by VIN (see the previous Article 2.2.2). It is recommended to use the "universal VIN decoder" and compare the data on the registration card with the data from the decoder. The difference may indicate use of fake documents.

The website also offers the following databases:

- stolen vehicles in the Slovak Republic,
- stolen vehicles in the Czech Republic,
- stolen vehicles in Slovenia,
- stolen vehicles in Italy
- stolen vehicles in Romania
- stolen vehicles in Lithuania
- verification if the vehicle belongs to a leasing company in the Slovak Republic,
- verification if the vehicle is not under a burden (pawned due to a third party lien - enter VIN or license plate)
- verification of the document on Originality Check,
- verification of the vehicle by the Cardetect check, if it belongs to a financial company in the Czech Republic and the Slovak Republic,
- verification that the vehicle has got a mandatory third-party liability insurance.

It is very important to check the vehicle's ownership and compliance with the data submitted by the carrier. When there is a new carrier, it is necessary to verify all available

information with regard to the completeness mentioned in the introduction. The information that the vehicle belongs to a leasing company should be provided in the registration card.

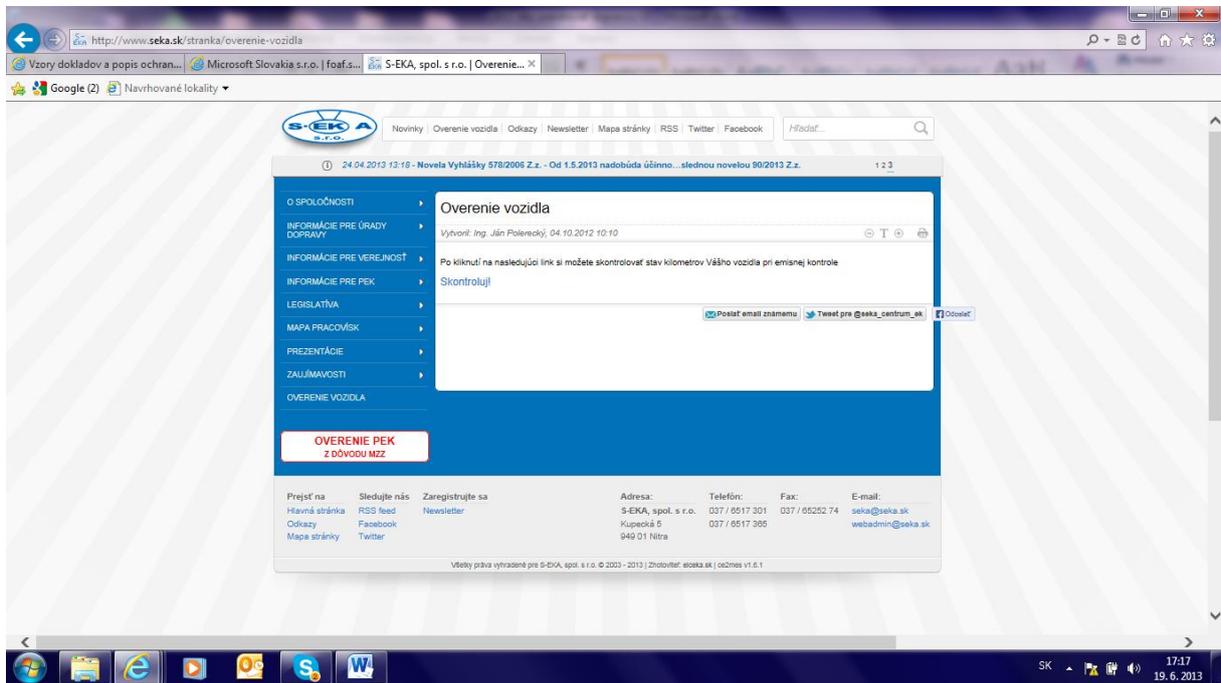


Fig.17

## 2.2.3 Euro-license

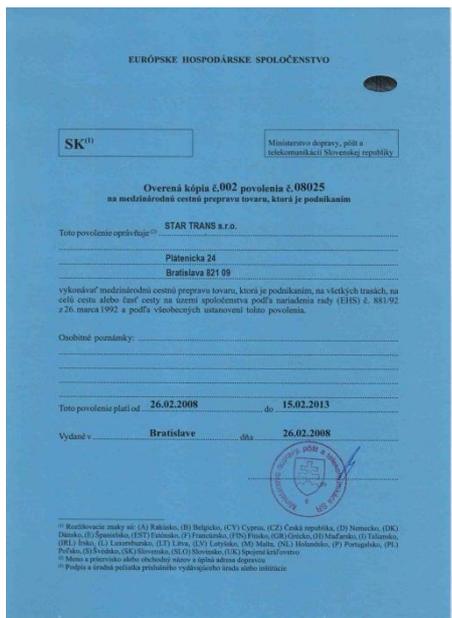


Fig. 18

Fig. 1) shows a sample Euro-License for carriage. Faxed or mailed copied of Euro Licenses may be fake (which also cannot be ruled out in the case of "notary certified" documents).

The Directive (EC) No. 1071/2009 of the European Parliament of October 21<sup>st</sup>, 2009, establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator.

The Directive requires the EU states to perform obligatory verification whether the enterprise **still** satisfies the conditions laid down in this Directive. It should be the task of the Member State of establishment, that the competent authorities of that Member State may, if necessary, decide to suspend or withdraw the permissions allowing this company to operate in the market. Consequently, the Slovak Republic has established a national according to Article 16, Paragraph 1 of the Regulation No. 1071/2009 SR has established the "ERRU": the Electronic Register of Road Transport Undertakings. The ERRU contains at least the following information under the Directive:

- a) the name and legal form of the company,
- b) the address of its site of establishment,
- c) the names of the transport managers designated to meet the conditions of integrity and professional competence, or the name of the legal representative,
- d) the type of authorisation, the number of vehicles covered and possibly the serial number of the Community license and certified copies
- e) the number, category and type of serious infringements, which were a reason for conviction or penalty over the last two years,
- f) the name of each person who has been declared unfit to manage the transport activities of the company, until its integrity is restored and corrective measures applied.

Since January 2013 ERRU is in full operation in most EU countries and the communication is enabled with international registries through a common server. For the public it is important what is made available - which is the register of carriers (name and legal form of the company, address of its place of establishment, names of the transport managers, type of permit and the number of certified copies of the Community license) on the <http://www.erru.sk> website, or on the website of the Ministry of Transport, Construction and Regional Development of the Slovak Republic <http://www.mindop.sk>.

**REGISTER DOPRAVCOV** Ministerstvo dopravy

**Dopravný podnik**

Vyhľadať dopravcu

Legislativa  
Kontakt

**Dopravný podnik**

Dopravca: **OD - DO s.r.o.**

Právna forma: Spoločnosť s ručením obmedzeným  
IČO: 45940746

Sídlo: SNP 129  
965 01 Žiar nad Hronom  
Slovenská republika

**Vydané licencie**

Nákladná cestná doprava (12648)      2 vozidlá - [kópie](#)      Platnosť: 26.1.2011 – 21.1.2016

Fig.19

In Slovakia, due to legislative restrictions, the transfer of information between the Police Corps of the Slovak Republic and the Ministry of Transport, Construction and Regional Development of the Slovak Republic does not work and therefore, it cannot be considered a sufficient verification method if a company is included on the ERRU website. Although the Directive foresees that the loss of integrity means a loss of entitlement to perform road haulage, the process from the start of the pre-trial procedure by law enforcement authorities, processing charges, court proceedings, sentencing and subsequent actions can take so long that the company owned by criminals and used for frauds will remain in the registry much longer, than a company which does not keep to safety driving breaks.

Insufficient legal awareness and low level of qualification of transport managers is a problem common to all carriers in Slovakia.

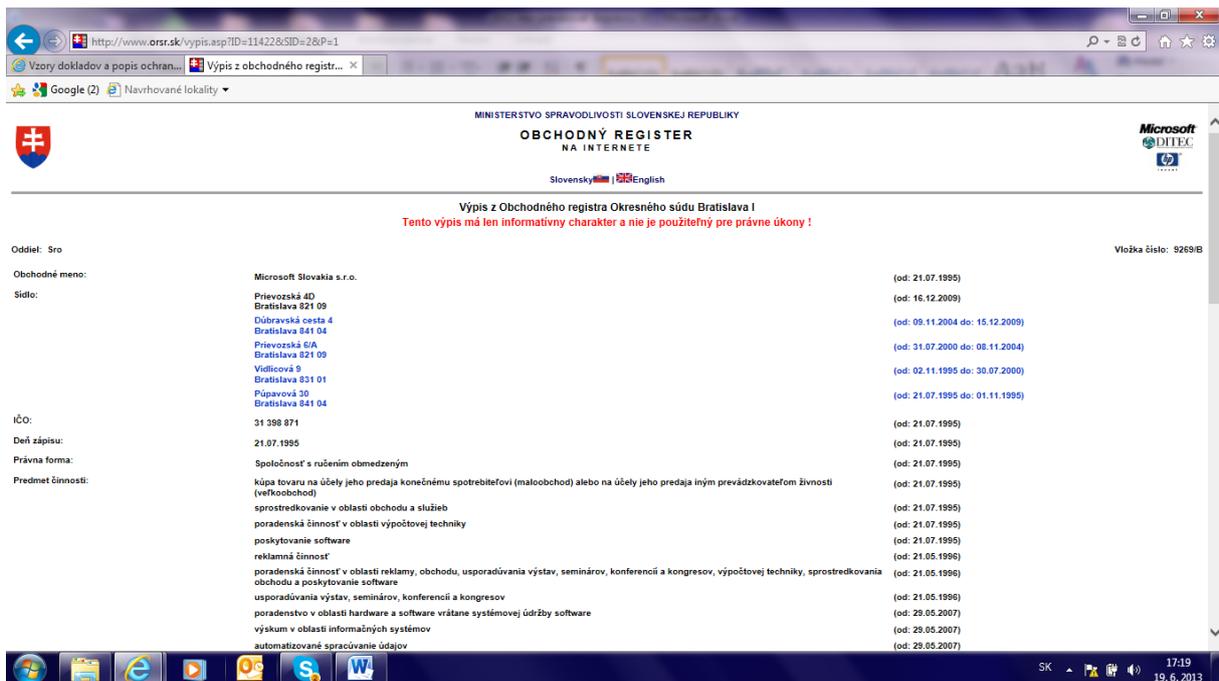
From the statistics provided by ERRU but also based on indications from traffic administration authorities it is clear that there are also many branches of foreign carriers registered in the Slovak Republic, which may only be fake and also disturb the balance of the transport market. (The conditions for road transport business in Slovakia and the integrity of the carrier, May 20th, 2013, Kilometer, Ing. Jozef Antal)

## 2.3 Company

### 2.3.1 Extract from the Companies Register

The Extract from the Companies Register (Certificate of Incorporation) is checked on the [www.orsr.sk](http://www.orsr.sk) website, where full compliance with the Trade Register of the Slovak Republic ([www.zrsr.sk](http://www.zrsr.sk)), ERRU and the submitted documents is verified. Any deviation may indicate document forgery. We always check the full extract to know the history of the company.

Subsequently, it is determined whether there was no change in the ownership of the company shortly before loading, which may indicate takeover by another entity and a significant change in company policy. Although it may not necessarily be a problem, it is always necessary to take more care.



The screenshot shows the website of the Slovak Companies Register (OBCHODNÝ REGISTR NA INTERNETE). The page displays the extract for the company Microsoft Slovakia s.r.o. The company's details are as follows:

Field	Value	Effective Date
Oddiel: Sro		
Obchodné meno:	Microsoft Slovakia s.r.o.	(od: 21.07.1995)
Sídlo:	Príevozská 4D Bratislava 821 09 Dúbravská cesta 4 Bratislava 841 04 Príevozská 6/A Bratislava 821 09 Vidlicová 9 Bratislava 831 01 Púpavová 30 Bratislava 841 04	(od: 16.12.2009) (od: 09.11.2004 do: 15.12.2009) (od: 31.07.2000 do: 08.11.2004) (od: 02.11.1995 do: 30.07.2000) (od: 21.07.1995 do: 01.11.1995)
IČO:	31 398 871	(od: 21.07.1995)
Deň zápisu:	21.07.1995	(od: 21.07.1995)
Právna forma:	Spoločnosť s ručením obmedzeným	(od: 21.07.1995)
Predmet činnosti:	kúpa tovaru na účely jeho predaja konečnému spotrebiteľovi (malobchod) alebo na účely jeho predaja iným prevádzkovateľom živnosti (veľkoobchod) sprostredkovanie v oblasti obchodu a služieb poradenská činnosť v oblasti výpočtovej techniky poskytovanie software reklamná činnosť poradenská činnosť v oblasti reklamy, obchodu, usporadúvania výstav, seminárov, konferencií a kongresov, výpočtovej techniky, sprostredkovania obchodu a poskytovanie software usporadúvania výstav, seminárov, konferencií a kongresov poradenstvo v oblasti hardware a software vrátane systémovej údržby software výskum v oblasti informačných systémov automatizované spracovanie údajov	(od: 21.07.1995) (od: 21.07.1995) (od: 21.07.1995) (od: 21.07.1995) (od: 21.05.1996) (od: 21.05.1996) (od: 21.05.1996) (od: 29.05.2007) (od: 28.05.2007) (od: 28.05.2007)

Fig.20

The next thing to verify is the seat of the company for the purposes of checking phones and persons using the [www.foaf.sk](http://www.foaf.sk) website. Special efforts in verification should be made if there is an unusually great number of companies linked to the manager or the owner.

The entries in the Companies Register of the Slovak Republic made with a response time of 5 days, and this time may also be deliberately stretched, for example, due to formal

errors when registering a change, and therefore a company owned by another entity may not have the takeover recorded in the register.

### 2.3.2 Extract from the Trade Register

The compliance with the information provided by the carrier is checked. Discrepancies increase the risk of fraud and the recommendation is not to use such a carrier. The **www.zrsr.sk website is checked.**

If the company was established less than 12 months ago, it is safer to avoid consigning the carriage to the entity. It is not possible to verify the company's history through using known entities. When a company was established in the range from 1 to 3 years ago, it is recommended to consign the carriage to such an entity only after verification with some of its clients or through a transporter's partner who knows the carrier being checked. It is necessary to verify in the Trade Register whether the entity is has got international road freight transport and forwarding including among its activities.

The activity "mediation of transport or carriage and trade" is not sufficient, since the entity does not assume responsibility for the performance or subcontractor verification. This involves very often unauthorised forwarding business, which itself is a crime of unauthorised business under Section 251 of the Penal Code no 300/2005 Coll..

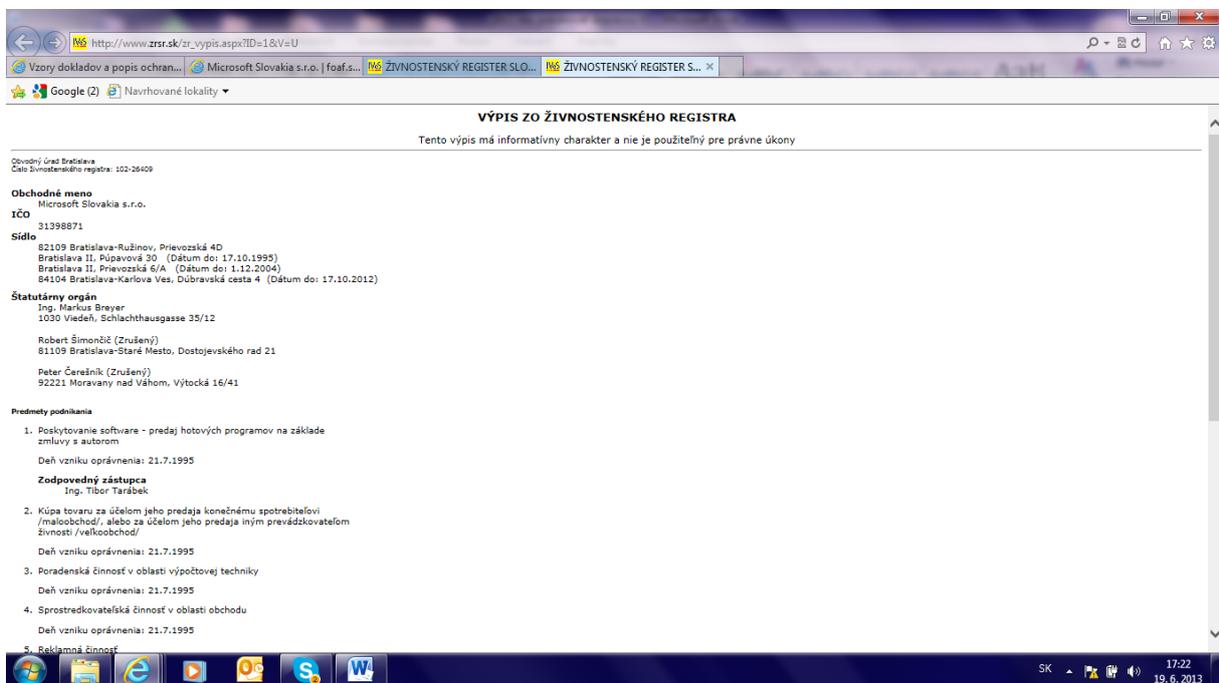


Fig.21

It is necessary to check the address of the company and its operations through Google Maps ([www.google.sk](http://www.google.sk)).

We always verify the Euro Licenses as in the case of vehicle verification.

### 2.3.3 FOAF

A very useful tool is the website [www.foaf.sk](http://www.foaf.sk) (friend of a friend), which allows to find links between companies quickly.

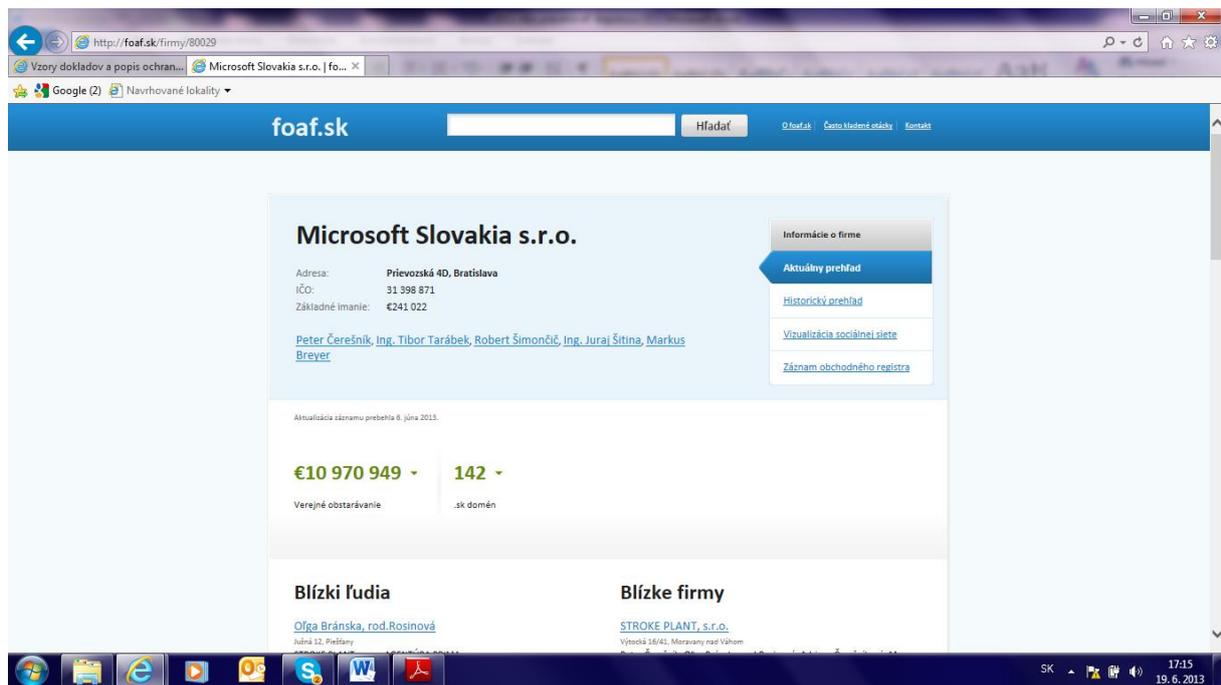


Fig.22

### 2.3.4 Telephones

The mode of communication and the manner in which the carrier reaches us should also be checked. The principle applies that we never communicate through the channels which the carrier has offered us, but we check these and try to obtain another phone or mail from a verified source, and use such communication link to contact the carrier. Perpetrators of fraud in road transport often misuse stolen identity.

Based on the data from the Companies Register and the Trade Register we compare the telephone line of the carrier with the phone number from which the carrier called. Then we call the carrier to the newly found number and verify the carrier.

T-COM does not have the telephone directory on the Internet. However, we can only get hard lines of companies which we report, generally we do not get the name of the company for which the telephone number is registered.

Important telephone number:

**1180** - Information on the telephone numbers of all telecommunications operators in Slovakia,  
**1181** - information about numbers of the ST network landline and mobile operators in Slovakia with the use of ancillary services, updated on a daily basis,  
**12149** - information on telephone numbers abroad without having to speak a foreign language.

At [http://orangeportal.sk/zoznamy/tel\\_zoz/zoznam.dwp](http://orangeportal.sk/zoznamy/tel_zoz/zoznam.dwp) you can only search for numbers of Orange Slovakia's customers with up to 5 SIM cards, if they have agreed to publish their numbers. The list does not include subscribers of the Prima prepaid service.

So far, there is no internet resource in the SR that allows to search users by numbers - and so we cannot verify for whom the phone is registered from which the call was made.

A secret number is a serious risk in our situation.

### **2.3.5 Financial capacity**

One of the conditions for obtaining the Euro License is also the audit of the carrier's financial capacity. This information corresponds to the situation at the time when the company applied for the Euro License. In the meantime, the situation could change significantly and the company could change its owner and get into the hands of individuals involved in the transport-related frauds. The information that the company is listed in the ERRU Register is not a sufficient proof of the company's credibility. Subsequent checks of Euro License holders are more than rare.

We can verify the financial discipline of the company somewhere else as well.

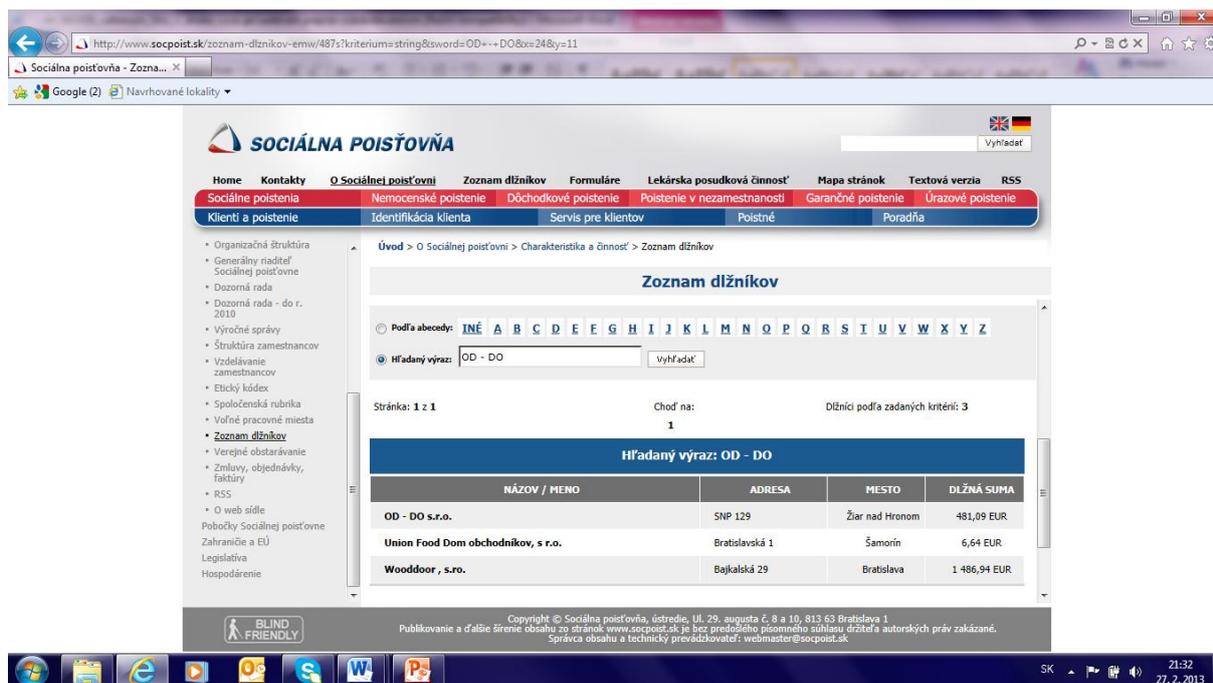


Fig.23

Verification of records of social insurance arrears.

On the [www.socpoist.sk](http://www.socpoist.sk) website (the Slovak social insurance institution), in the section including the list of debtors, the name of the company must be entered after password verification. Arrears on social insurance payments suggest significant financial problems that could encourage unfair business of either the transport company itself or drivers with who have not been paid for their work in timely manner. In some companies, consigning carriages to companies with arrears on social insurance is forbidden, because it is understood by the consigners as information that these companies do not meet the conditions for road transport business already in the given situation.

Similarly, it is necessary to check arrears on health insurance. Všeobecná zdravotná poisťovňa (the General Health Insurance Company) publishes a list of debtors on its website: [www.vszp.sk/platitelia/platenie-poistneho/zoznam-dlznikov.html](http://www.vszp.sk/platitelia/platenie-poistneho/zoznam-dlznikov.html) .

The Dôvera health insurance company: [www.dovera.sk/aplikacie/dlznici/zoznam-dlznikov](http://www.dovera.sk/aplikacie/dlznici/zoznam-dlznikov) .

The Union health insurance company: [www.union.sk/zoznam-neplaticov-pravnicke-osoby](http://www.union.sk/zoznam-neplaticov-pravnicke-osoby) .

Debtors are also published by the Financial Directorate of the Slovak Republic and its predecessor, the Tax Office. The information can be found on the website, for example [www.drsrc.sk/drsrc/slovak/poskytovanie-informacii/informacne-zoznamy](http://www.drsrc.sk/drsrc/slovak/poskytovanie-informacii/informacne-zoznamy).

Further information about non-payment is available on the website:

<http://dlznik.zoznam.sk/dlznici-na-poistnom>,  
[www.zoznamdlznikov.com](http://www.zoznamdlznikov.com)

All listings may not be up-to-date, in such a case the debtor needs not be necessarily listed, or has already paid in the meantime.

### 2.3.6 Liability insurance.

One of the basic documents that the consigner or forwarder should request and examine is the adequacy and the existence of the carrier's liability insurance. It is not just that we uncover potential fraudsters who try to steal the goods loaded using fake insurance certificates. It is important to verify the existence and adequacy of the insurance policy so that it is possible for the transporter to count on damages for destroyed or damaged goods when the carrier hired gets into a traffic accident. Especially for small transport companies with a small number of vehicles and little property this may not always be possible without the existence of an insurance policy. Sometimes there may be a forged period of the insurance policy's validity period, or the scope of insurance, by an unreliable carrier to save costs.

This type of inspection is exercised by the state administration when issuing the Euro Licenses, since insurance is one of the ways to prove financial capacity, but the [www.ERRU.sk](http://www.ERRU.sk) database does not allow to verify this information and it is questionable whether the state administration authority regularly checks this condition regularly at all. Under legislation, there is no obligation for carriers to submit proof of liability insurance continuously for inspection.

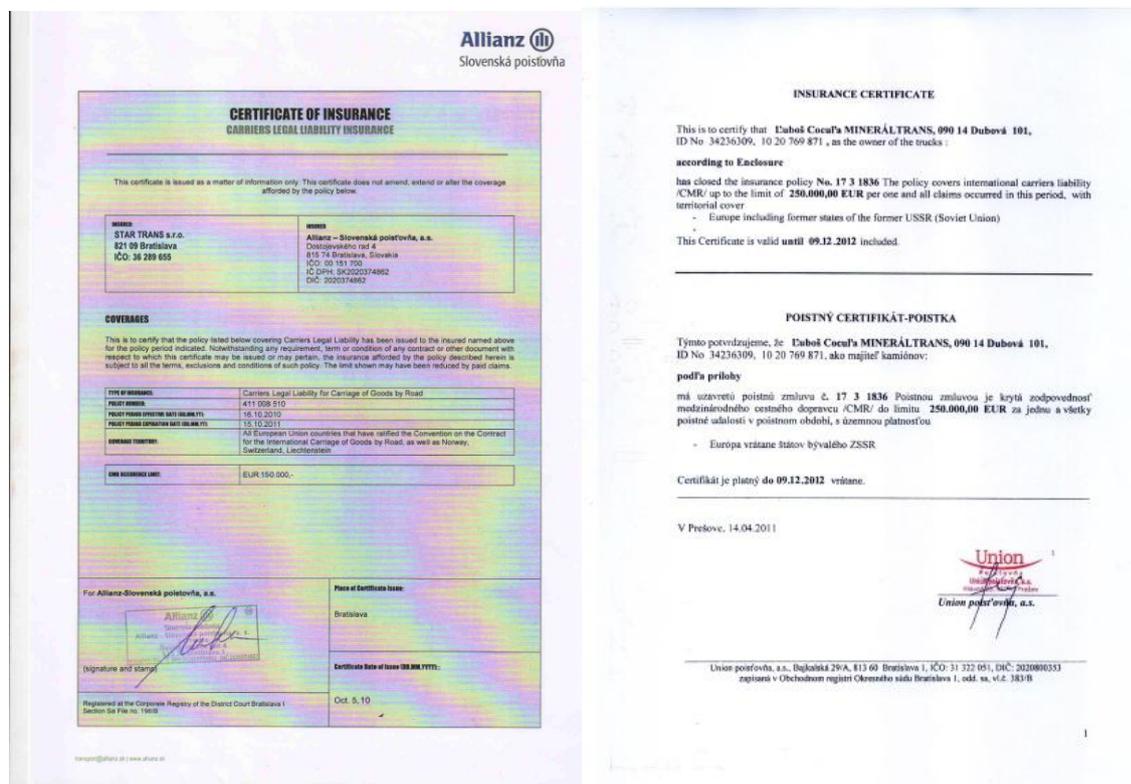


Fig.24 Examples of insurance certificates

For liability insurance (CMR) it is necessary to check not only the scope of coverage, exclusions from insurance, participation amount and level of performance as in the case of known carriers, but also to compare all the data on the insurance policy or certificate with other documents and information about the company and the vehicle docked for loading.

It is appropriate to check on the CMR insurance whether it also applies to international transport and to a specific vehicle which the carrier reported for loading. Then, it is necessary to check by calling the hotline number provided on the insurance company's website, or by e-mail, whether the premiums have been paid duly and whether the insurance company records any abnormalities as regards the insurance policy.

It is appropriate to send the scanned documents, submitted by the carrier, to the insurance company by e-mail and request verification of all the information, as we provide more information than in a telephone conversation, and we have a proof for evidence.

Any alteration of insurance would mean the exclusion of the carrier from transport and we recommend to proceed as agreed with the insurance company, and report the issue to the police.

Policies signed recently and by new carriers are suspicious. In some cases, the perpetrators signed a policy, obtained the documents and did not pay the premium.

### 2.3.7 Mandatory insurance of motor vehicle operator

The screenshot shows the website of Slovenská kancelária poisťovateľov (SKP). The main content area displays a search for a motor vehicle operator's insurance policy. The search criteria are: Evidenčné číslo vozidla (Vehicle registration number) PU 538 AY and Poistenie ku dňu (Insurance date) 6.3.2012. The search results show a table with the following data:

SPZ/EČV	Druh vozidla	Značka	Typ	Farba	Poistovateľ	Číslo poistnej zmluvy	Poistenie od	Poistenie do
PU538AY	Osobný automobil	ŠKODA	SUPERB		0010 Uniga	9259358936	22.07.2009 00:00	22.07.2099 23:59

Below the table, there is a note: "S nárokom na poistné plnenie sa obráťte na vyššie zobrazeného poisťovateľa" (For a claim for insurance payment, contact the insurer shown above).

Fig.25

The mandatory insurance and the [www.skp.sk](http://www.skp.sk) website is one of the most important tasks when verifying a carrier. It allows to check whether the vehicle's registration number (license plates) and type of the vehicle correspond with the information on the insurance document presented as well as the liability insurance document and other documents.

Subsequently, the insurance company may be contacted to verify the validity of insurance.

### **2.3.8 Internet transport databases**

It should be noted that although the transport databases have made and make initiatives in fraud prevention in road transport, for objective reasons, they cannot guarantee the integrity and identity of the entities that advertise on them. It is always the consigner's obligation.

Conversely, it is a fact that such databases are also used by the offenders for selecting consigners with problems in finding a carrier and to offer their services. And they use them very often.

The check of registration of records transport databases is possible for example on the RAAL TRANS ([www.raal.sk](http://www.raal.sk)) website, in the advertising section. In the case there is an entry (a record) the advertising company should be checked for the reason for registration (record). If feedback received from the author of the record is negative, or if any problems may be expected, the carriage should not be consigned to the entity advertised.

RAALTRANS must be checked also if the carrier is found through TimoCom. Since TimoCom assigns ID in an ascending manner, it can be assumed that the higher the assigned ID number the carrier has, the shorter period of time of existence in TimoCom is, and the higher likelihood of unfair practices exists. However, it cannot be ruled out even in the case of low numbers, since the perpetrators of transport frauds often buy well-established companies in the field of transport.

It is advisable to check the TRANS EU database ([www.trans.eu](http://www.trans.eu)) for example, whether the carrier's registration was not refused. As these databases are not linked with one another, it is necessary to check them all.

## **2.4 Other systems**

### **2.4.1 Tracking SIM cards in the vehicle**

It is an option which many carriers (especially the larger ones) use to monitor their vehicles. They often allow tracking for their customers too.

Some companies use such systems and, in the case there is a new carrier, an adjusted shipment with a mobile phone inside or another special device can be placed on a similar principle into the vehicle for the customer to track the shipment.

It should be noted that in at least one case in Slovakia perpetrators used signal interference that prevented such monitoring. Again, it is not a definitive solution to the problem.

## **3 What to do when there is a reasonable suspicion of fraud?**

As soon as the consigner finds out a suspected fraud, it is advisable to report this fact immediately via telephone line 158 to the police and make a complaint.

If TIR Carnet was used for transportation, as soon as it is obvious to the consigner that a fraud has occurred in relation to transport of the goods, it is recommended for the carrier to contact the customs authorities of the Slovak Republic immediately. If they are not in the vicinity, or if they are not reachable locally, with any competent authorities of the country in which the goods are located according to the last report.

Furthermore, it is necessary to inform all insurance companies about the fraud in which the consigner is insured.