
STATUTORY INSTRUMENTS

2017 No. 99

ROAD TRAFFIC

**The Rights of Passengers in Bus and Coach Transport
(Exemptions and Enforcement) (Amendment) Regulations 2017**

<i>Made</i>	- - - -	<i>2nd February 2017</i>
<i>Laid before Parliament</i>		<i>7th February 2017</i>
<i>Coming into force</i>	- -	<i>1st March 2017</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1).

The Secretary of State has been designated(2) for the purposes of section 2(2) in relation to the carriage of passengers and goods by road.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) (Amendment) Regulations 2017 and come into force on 1st March 2017.

(2) These Regulations do not extend to Northern Ireland.

Amendment of Regulations

2.—(1) The Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013(3) are amended as provided in paragraphs (2) and (3).

(2) In regulation 2(1)—

(a) after the definition of “enforcement authority”, insert—

““exemption period” means the period which commences on 1st March 2017 and ends at midnight on 28th February 2021;” and

(b) omit the definition of “initial exemption period”.

(3) In regulations 4(1) and 5(1), for “the initial exemption period”, substitute “the exemption period”.

(1) 1972 c.68; section 2(2) has been amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(1)(a); and by the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1.

(2) S.I. 1996/266, to which there are amendments not relevant to these Regulations.

(3) S.I. 2013/1865.

Amendment of the Consumer Rights Act 2015

3. In section 48 of the Consumer Rights Act 2015⁽⁴⁾ (contracts covered by Chapter 4 of Part 1), after subsection (3) insert—

“(3A) This Chapter does not apply to anything that is governed by Regulation (EU) No 181/2011⁽⁵⁾ of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004⁽⁶⁾.”

Signed by authority of the Secretary of State for Transport

2nd February 2017

Andrew Jones
Parliamentary Under Secretary of State
Department for Transport

⁽⁴⁾ 2015 c.15.

⁽⁵⁾ OJ No L 55, 28.02.11, p1.

⁽⁶⁾ OJ No L 364, 09.12.04, p1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013 (“the 2013 Regulations”). The 2013 Regulations gave effect to Articles 2(4), 2(5), 12 and 16(2) and Chapter VI of Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (“Regulation 181/2011”). Regulation 181/2011 is directly applicable in Member States.

Regulation 2 amends the 2013 Regulations by renewing, for the maximum period of four years permitted by Articles 2(4) and 2(5) of Regulation 181/2011, the exemption from the application of Regulation 181/2011 of domestic regular services; and the exemption from specified aspects of Regulation 181/2011 of particular regular services because a significant part, including at least one scheduled stop, is operated outside the European Union. The exemptions will end at midnight on 28th February 2021.

Regulation 3 amends the Consumer Rights Act 2015 to ensure that Chapter 4 of Part 1 (service contracts) does not apply to anything governed by Regulation 181/2011.

When the 2013 Regulations were made, a full impact assessment of the effect that Regulation 181/2011 would have on the costs of business and the voluntary sector was prepared. A copy of the assessment was placed in the library of both Houses of Parliament and published on www.legislation.gov.uk alongside the Explanatory Memorandum for the 2013 Regulations. Copies of the assessment are available from the Buses and Taxis Division (PSV Licensing and Accessibility) at the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR. The Explanatory Memorandum for these Regulations has been published alongside this instrument on www.legislation.gov.uk.

Regulation 181/2011 can be viewed on the EUR-Lex website at www.eur-lex.europa.eu.