

Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (Text with EEA relevance)

CHAPTER II

CONDITIONS TO BE MET TO SATISFY THE REQUIREMENTS LAID DOWN IN ARTICLE 3

Article 7

Conditions relating to the requirement of financial standing

1 In order to satisfy the requirement laid down in Article 3(1)(c), an undertaking [^{F1}that engages in the occupation of road passenger transport operator] shall at all times be able to meet its financial obligations in the course of the annual accounting year. To this end, the undertaking shall demonstrate, on the basis of annual accounts certified by an auditor or a duly accredited person, that, every year, it has at its disposal capital and reserves totalling at least [^{F2}£8,000] when only one vehicle is used and [^{F2}£4,500] for each additional vehicle used.

^{F3} ...

The accounting items referred to in the first subparagraph shall be understood as those defined in Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54(3) (g) of the Treaty on the annual accounts of certain types of companies⁽¹⁾.

2 By way of derogation from paragraph 1, the competent authority may agree or require that an undertaking demonstrate its financial standing by means of a certificate such as a bank guarantee or an insurance, including a professional liability insurance from one or more banks or other financial institutions, including insurance companies, providing a joint and several guarantee for the undertaking in respect of the amounts specified in the first subparagraph of paragraph 1.

3 The annual accounts referred to in paragraph 1, and the guarantee referred to in paragraph 2, which are to be verified, are those of the economic entity established in the [^{F4}UK and not those of any entity established in any other country].

4 [^{F5}In order to satisfy the requirement laid down in Article 3(1)(c), an undertaking that engages in the occupation of road haulage operator must satisfy the requirements set out in:

- a) if the undertaking is established in Great Britain, paragraph 6A of Schedule 3 to the 1995 Act; or
- b) if the undertaking is established in Northern Ireland, any regulations made for the purposes of section 12A(2)(c) of the 2010 Act.]

Textual Amendments

- F1** Words in Art. 7(1) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **9(1)**

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1071/2009 of the European Parliament and of the Council, Article 7. (See end of Document for details)

- F2** Sums in Art. 7(1) substituted (31.12.2020) by The Licensing of Operators and International Road Haulage (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/708), regs. 1(1), **9(8)(a)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in Art. 7(1) omitted (31.12.2020) by virtue of The Licensing of Operators and International Road Haulage (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/708), regs. 1(1), **9(8)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 7(3) substituted (31.12.2020) by The Licensing of Operators and International Road Haulage (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/708), regs. 1(1), **9(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 7(4) inserted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **9(2)**

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1071/2009 of the European Parliament and of the Council, Article 7. (See end of Document for details)

(1) [OJ L 222, 14.8.1978, p. 11.](#)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1071/2009 of the European Parliament and of the Council, Article 7.