

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 VI

FINAL PROVISIONS

Article 22

Penalties

^{F1}

2 The penalties [^{F2}for infringements of this Regulation must include, in particular, provision in relation to] suspension of the authorisation to engage in the occupation of road transport operator, withdrawal of such authorisation and a declaration of unfitness of the transport manager.

Textual Amendments

- F1** Art. 22(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(22)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 22(2) 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(22)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F3}Article 22A

Transitional provisions relating to the Goods Vehicles (Licensing of Operators) (Amendment) (No. 2) Regulations 2022

1 A natural person who was designated a transport manager by an undertaking which engages in the occupation of road haulage operator:

- a) under Article 4(1) before the commencement date is, beginning with the commencement date, to be treated by the competent authority as a natural person designated a transport manager by the undertaking under:
 - i) if the undertaking is established in Great Britain, Article 4(3A)(a); or
 - ii) if the undertaking is established in Northern Ireland, Article 4(3A)(b);
- b) under Article 4(2) before 17th March 2022 is, beginning with the commencement date, to be treated by the competent authority as a natural person designated a transport manager by the undertaking under:
 - i) if the undertaking is established in Great Britain, Article 4(3A)(a); or
 - ii) if the undertaking is established in Northern Ireland, Article 4(3A)(b).

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, CHAPTER VI. (See end of Document for details)

2 For the purposes of paragraph 1, “the commencement date” means the day on which the Goods Vehicles (Licensing of Operators) (Amendment) (No. 2) Regulations 2022 come into force.]

Textual Amendments

- F3** Art. 22A inserted (1.7.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/727), regs. 1(b), 5

F4 Article 23

Transitional provisions

Textual Amendments

- F4** Arts. 23-25 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(23); 2020 c. 1, Sch. 5 para. 1(1)

F4 Article 24

Mutual assistance

Textual Amendments

- F4** Arts. 23-25 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(23); 2020 c. 1, Sch. 5 para. 1(1)

F4 Article 25

Committee procedure

Textual Amendments

- F4** Arts. 23-25 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(23); 2020 c. 1, Sch. 5 para. 1(1)

^{F5}Article 25A

Regulations made by the Secretary of State: consultation and procedure

1 Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.

2 Before the Secretary of State makes regulations under Article 6 or Article 8 which apply to Great Britain, the Secretary of State must consult—

- a the traffic commissioners for England, Scotland and Wales;
- b such other persons as the Secretary of State considers appropriate.

3 Before the Secretary of State makes regulations under Article 6 or Article 8 which apply to Northern Ireland, the Secretary of State must consult—

- a the Northern Ireland department;
- b such other persons as the Secretary of State considers appropriate.

4 A statutory instrument containing whether alone or with other provision regulations under Article 8 may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

5 Any other statutory instrument containing regulations under these Regulations is subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F5 Arts. 25A, 25B inserted (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(24)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 25B

Regulations made by the Northern Ireland department: consultation and procedure

1 Any power to make regulations conferred on the Northern Ireland department by this Regulation is exercisable by statutory rule for the purpose of the Statutory Rules (Northern Ireland) Order 1979.

2 Before the Northern Ireland department makes regulations under Article 6 or Article 8, the Northern Ireland department must consult such other persons as that department considers appropriate.

3 Regulations may not be made by the Northern Ireland department under Article 8 of this Regulation unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

4 Any other regulations made by the Northern Ireland department under these Regulations are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954.]

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, CHAPTER VI. (See end of Document for details)

Textual Amendments

- F5** Arts. 25A, 25B inserted (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(24)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F6}Article 26

Reporting

Textual Amendments

- F6** Arts. 26-28 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(25)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F6}Article 27

List of competent authorities

Textual Amendments

- F6** Arts. 26-28 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(25)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F6}Article 28

Communication of national measures

Textual Amendments

- F6** Arts. 26-28 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(25)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 29

Repeal

Directive 96/26/EC is hereby repealed.

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, CHAPTER VI. (See end of Document for details)

^{F7}Article 30

Entry into force

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Textual Amendments

- F7** Art. 30 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(25)**; 2020 c. 1, Sch. 5 para. 1(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, CHAPTER VI.