

1981 No. 199

EUROPEAN COMMUNITIES
ROAD TRAFFIC AND TRANSPORT

European Communities (International Passenger Services)
Regulations (Northern Ireland) 1981

Made 17th June 1981

Coming into operation 27th July 1981

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The Department of the Environment, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to international carriage of passengers by road, in exercise of the powers conferred by that section, section 45(i) to (l) of the Transport Act (Northern Ireland) 1967(c) and now vested in it(d), article 66(1)(p) and (q) and (2) of the Road Traffic (Northern Ireland) Order 1981(e) and section 56(1) and (5) of the Finance Act 1973(f) and of every other power enabling it in that behalf and with the consent of the Department(g) of Finance in relation to regulation 13(3), (4) and (5) hereby makes the following Regulations:—

PART I

GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the European Communities (International Passenger Services) Regulations (Northern Ireland) 1981 and shall come into operation on 27th July 1981.

(2) The European Communities (Public Service Vehicles) Regulations (Northern Ireland) 1973(h), the European Communities (International Passenger Services)

(a) S.I. 1972/1811

(b) 1972 c. 68

(c) 1967 c. 37 (N.I.) as amended by S.R. & O. (N.I.) 1972 No. 359 Art. 5

(d) S.R. & O. (N.I.) 1973 No. 504 Art. 4

(e) S.I. 1981/154 (N.I. 1)

(f) 1973 c. 51

(g) Formerly Ministry: see 1973 c. 36 Sch. 5 para. 8(1)

(h) S.R. & O. (N.I.) 1973 No. 200

Regulations (Northern Ireland) 1973(a), and the European Communities (International Passenger Services) Regulation (Northern Ireland) 1979(b) are hereby revoked.

(3) As from 24th July 1981 the Road Services Licensing (Exemption) Regulations (Northern Ireland) 1970(c) and the Public Service Vehicles (International Circulation) Regulations (Northern Ireland) 1970(d) shall not apply to vehicles to which these Regulations are applicable.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to a measure of the Northern Ireland Assembly.

(2) In these Regulations—

(a) the references to the following provisions, that is to say—

Council Regulation No. 117/66

Commission Regulation No. 1016/68

Council Regulation No. 516/72

Council Regulation No. 517/72

are references, respectively to the Community provisions more particularly described in Schedule 1 and references to “the Council Regulations” or “the Commission Regulation” shall be construed accordingly.

(b) “the Act of 1967” means the Transport Act (Northern Ireland) 1967;

(c) “the Order of 1981” means the Road Traffic (Northern Ireland) Order 1981;

(d) “Community regulated”, in relation to the carriage of passengers, means the international carriage of passengers by road to which Council Regulation No. 117/66 applies, namely in the circumstances mentioned in Article (4)(1) thereof, that is to say—

(i) where the place of departure is in the territory of a member State and the destination is in the territory of the same or another member State; and

(ii) the vehicle is registered in a member State and in construction and equipment is suitable for carrying more than nine persons, including the driver, and is intended for that purpose.

and “non-Community regulated” shall be construed accordingly:

(e) “Department” means the Department of the Environment;

(f) “authorised inspection officer” means—

(i) an inspector appointed under section 37 of the Act of 1967, or

(ii) an authorised officer as defined in article 64(4) of the Order of 1981;

(g) “member State” means a state which is a member of the European Economic Community;

(h) “vehicle” means a public service vehicle.

(a) S.R. & O. (N.I.) 1973 No. 212

(b) S.R. 1979 No. 401

(c) S.R. & O. (N.I.) 1970 No. 41

(d) S.R. & O. (N.I.) 1970 No. 325

(e) 1954 c. 33 (N.I.)

PART II

MODIFICATIONS OF PART II OF THE ACT OF 1967 AND PART V OF THE ORDER OF 1981 IN RELATION TO PUBLIC SERVICE VEHICLES REGISTERED IN THE UNITED KINGDOM WHEN USED FOR THE INTERNATIONAL CARRIAGE OF PASSENGERS

Community regulated regular, shuttle and works services by vehicles registered in Great Britain

3.—(1) This regulation applies to a vehicle registered in Great Britain which is being used for Community regulated carriage of passengers insofar as the vehicle—

- (a) is used to provide any service for the carriage of passengers such as is mentioned in Article 1, 2 or 6 of Council Regulation No. 117/66; and
- (b) is so used in accordance with such of the requirements of the Council Regulations as apply in relation to the service in question.

(2) In relation to a vehicle to which this regulation applies the provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall have effect as though section 4 of the Act of 1967 and articles 59, 60 and 70 of the Order of 1981 were omitted.

Non-Community regulated regular and shuttle services by vehicles registered in the United Kingdom

4.—(1) This regulation applies to a vehicle registered in the United Kingdom which is being used for the international carriage of passengers by road which is not Community regulated but is being used to provide a service for the carriage of passengers of a description such as is mentioned in Article 1 or 2 of Council Regulation No. 117/66 (that is to say, a regular service, a special regular service or a shuttle service as defined in those Articles).

(2) The provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall have effect as if—

- (a) in relation to a vehicle to which this regulation applies registered in Great Britain, articles 59, 60 and 70 of the Order of 1981 were omitted; and
- (b) in relation to a vehicle to which this regulation applies registered in Northern Ireland or in Great Britain for section 4 of the Act of 1967 there were substituted the following section—

“4.—(1) No person shall cause or permit a public service vehicle to be used on a road for the international carriage of passengers unless there is in force in relation to the use of the vehicle, and is carried on the vehicle, an international passenger transport authorisation.

(2) An authorised inspection officer may at any time, on production if so required of his authority, require the operator or the driver of any such vehicle as is referred to in sub-section (1) to produce and to permit him to inspect and copy an international passenger transport authorisation relating to the use of the vehicle, and for that purpose may require the vehicle to be stopped and may detain the vehicle for such time as is requisite for the purpose of inspecting and copying the authorisation.

(3) A person who—

- (a) contravenes sub-section (1); or
- (b) fails to comply with a requirement of an authorised inspection officer as specified in sub-section (2), or obstructs an authorised inspection officer, in the exercise of his powers under sub-section (2); shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

(4) In this section "international passenger transport authorisation" means a licence, permit, authorisation or other document issued by the Department in pursuance of an international agreement or arrangement to which the United Kingdom is for the time being a party."

Occasional services by vehicles registered in the United Kingdom (whether Community regulated or not)

5.—(1) This regulation applies to a vehicle registered in the United Kingdom which is being used for the international carriage of passengers by road (whether Community regulated or otherwise)—

(a) insofar as the vehicle is used to provide a service for the carriage of passengers (Community regulated) such as is mentioned—

(i) in paragraph 1(a) of Article 3 of Council Regulation No. 117-66 (that is to say, an occasional service described in that paragraph as a closed-door tour), or

(ii) in paragraph 1(b) of that Article (that is to say, an occasional service described in that paragraph where the passengers are carried on the outward journey and the return journey is made unladen), or

(iii) in paragraph 1(c) of that Article (that is to say, an occasional service as mentioned in that paragraph, of any other description); or

(b) insofar as the vehicle is used to provide a service for the carriage of passengers which is not Community regulated but is a service of a description such as is mentioned in any of these paragraphs.

(2) The provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall have effect as if—

(a) in relation to a vehicle to which this regulation applies registered in Great Britain, articles 59, 60 and 70 of the Order of 1981 were omitted, and

(b) in relation to a vehicle to which this regulation applies registered in Northern Ireland or in Great Britain, for section 4 of the Act of 1967 there were substituted the following section:—

"4.—(1) No person shall cause or permit a vehicle to be used on a road for the international carriage of passengers unless—

(a) in relation to such use of the vehicle the requirements of Articles 2, 3 and 4 of the Commission Regulation and of Annex 2 thereto (which provide for the completion by the person by whom or on whose behalf, a vehicle is used to provide an occasional service within the meaning of Article 3 of Council Regulation No. 117/66, of a passenger waybill in respect of the service in question and for the carrying of the top copy of such waybill on the vehicle at all times while it is used on that service) are complied with, or would be complied with if those provisions applied to the service; and

(b) the vehicle is used on the service in question in circumstances which accord in all respects with the particulars which, in accordance with the said requirements, have been specified in the said passenger waybill as applicable to that service.

(2) An authorised inspection officer may, at any time which is reasonable having regard to the circumstances of the case, enter any premises from which he has reason to believe that a vehicle is or is to be operated on a service for the international carriage of passengers and may, on production if so required of his authority, require the operator of the vehicle to produce and to permit him to inspect and copy a control document duly completed for the service in accordance with Articles 2, 3 and 4 of Annex 2 to the Commission Regulation.

(3) An authorised inspection officer may, on production if so required of his authority—

- (a) require the driver of a vehicle used for the international carriage of passengers to produce and to permit him to inspect and copy and to mark with an official stamp the document required by Article 3(2) of the Commission Regulation to be kept on a vehicle to which that provision applies; and
- (b) detain the vehicle for such time as is required for the purpose of inspecting, copying and marking the document.

(4) A person who—

- (a) contravenes sub-section (1), or
- (b) fails to comply with a requirement of an authorised inspection officer as specified in sub-sections (2) and (3), or obstructs an authorised inspection officer in the exercise of his powers, under sub-section (2) or (3)

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

(5) In this section “Council Regulation No. 117/66” means Regulation No. 117/66/EEC of the Council of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus and “the Commission Regulation” means Regulation (EEC) No. 1016/68 of the Commission of 9 July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No. 117/66.”

PART III

MODIFICATIONS OF PART II OF THE ACT OF 1967 AND PART V OF THE ORDER OF 1981 IN RELATION TO PUBLIC SERVICE VEHICLES REGISTERED OUTSIDE THE UNITED KINGDOM

Small vehicles registered outside the United Kingdom visiting Northern Ireland temporarily

6.—(1) This regulation applies to a vehicle registered outside the United Kingdom which—

- (a) in construction and equipment is suitable for carrying not more than nine persons, including the driver, and is intended for that purpose;
- (b) is brought into Northern Ireland for the purpose of carrying passengers who are travelling to Northern Ireland from a place outside the United Kingdom, or who are travelling from the United Kingdom to any such place; and
- (c) remains in Northern Ireland for a period not exceeding three months from the date of its entry therein.

(2) The provisions of Part II of the 1967 Act and Part V of the Order of 1981 shall, in relation to a vehicle to which this regulation applies, have effect as if section 4 of the Act of 1967 and articles 59, 60 and 70 of the Order of 1981 were omitted.

Community regulated regular, shuttle and works services by vehicles registered outside the United Kingdom

7.—(1) This regulation applies to a vehicle registered outside the United Kingdom which is being used for Community regulated carriage of passengers insofar as the vehicle—

- (a) is being used to provide any service for the carriage of passengers such as is mentioned in Article 1, 2 or 6 of Council Regulation No. 117/66; and

(b) is being so used in accordance with such of the requirements of the Council Regulations or, as the case may be, the Commission Regulation as apply to the service in question.

(2) The provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall, in relation to a vehicle to which this regulation applies, have effect as if section 4 of the Act of 1967 and articles 59, 60 and 70 of the Order of 1981 were omitted.

Non-Community regulated regular and shuttle services by vehicles registered outside the United Kingdom.

8.—(1) This regulation applies to a vehicle registered outside the United Kingdom which is being used for the international carriage of passengers which is not Community regulated, insofar as the vehicle—

- (a) is being used to provide a service for the carriage of passengers of a description such as is mentioned in Article 1 or 2 of Council Regulation No. 117/66 (that is to say, a regular service, a special regular service or a shuttle service as defined in those Articles); and
- (b) is so used by or on behalf of a person who is authorised, under the law of the country in which the vehicle is registered, to use the vehicle for the carriage of passengers on the journey in question or such parts thereof as are situated within that country.

(2) The provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall, in relation to a vehicle to which this regulation applies, have effect as if articles 59, 60 and 70 of the Order of 1981 were omitted, and as if for section 4 of the Act of 1967 there were substituted the section set out in Schedule 2.

Community regulated occasional services by vehicles registered in member States other than the United Kingdom

9.—(1) This regulation applies to a vehicle registered in a member State other than the United Kingdom which is being used for Community regulated carriage of passengers—

- (a) insofar as the vehicle is used to provide a service for the carriage of passengers such as is mentioned—
 - (i) in paragraph 1(a) of Article 3 of Council Regulation No. 117/66 (that is to say, an occasional service described in that paragraph as a closed-door tour), or
 - (ii) in paragraph 1(b) of that Article (that is to say, an occasional service as described in that paragraph where passengers are carried on the outward journey and the return journey is made unladen), or
 - (iii) in paragraph 1(c) of that Article (that is to say, an occasional service, as mentioned in that paragraph of any other description); and

(b) insofar as, in relation to the use of the vehicle—

- (i) the requirements of Articles 3 and 4 of the Commission Regulation, and of Annex 2 thereto (which provide for the completion, by the person by whom or on whose behalf a vehicle is used to provide such an occasional service as aforesaid, of a passenger waybill in respect of the service in question and for the carrying of such a waybill on the vehicle at all times while it is used on that service) have been complied with, and
- (ii) the vehicle is used on the service in question in circumstances which accord in all respects with the particulars which, in pursuance of the said requirements, have been specified in the said passenger waybill as applicable to that service.

(2) In relation to a vehicle to which this regulation applies, the provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall have effect as if articles 59, 60 and 70 of the Order of 1981 were omitted and—

- (a) insofar as the vehicle is used to provide a service for the carriage of passengers such as is mentioned in paragraph 1(a) or 1(b) of Article 3 of Council Regulation No. 117/66, or paragraph 1(c) of that Article where all the conditions specified in the proviso to Article 5(2) of that Regulation are fulfilled, as if section 4 of the Act of 1967 were omitted; and
- (b) insofar as the vehicle is used to provide a service for the carriage of passengers such as is mentioned in the said paragraph 1(c) where any of the said conditions are not fulfilled, as if for the said section 4 there were substituted the section set out in Schedule 2.

Certain occasional services by vehicles registered in member countries of the European Conference of Ministers of Transport

10.—(1) This regulation applies to a vehicle—

- (a) which is registered in Austria, Finland, Greece, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, or Yugoslavia;
- (b) which is brought into Northern Ireland for the purpose of carrying passengers who are making only a temporary stay therein or are in transit; and
- (c) which remains in Northern Ireland for a period not exceeding three months from the date of its entry therein,

insofar as the vehicle—

- (i) is used to provide a service for the carriage of passengers which is not Community regulated but which is of a description such as is mentioned in Article 3(1)(a), (b) or (c) of Council Regulation No. 117/66, where the journey made by the vehicle in providing that service starts from a place situated in one of the countries mentioned in sub-paragraph (a) and ends at a place situated in the same or another such country or in Northern Ireland, and
- (ii) is so used by or on behalf of a person who is authorised, under the law of the country in which the vehicle is registered, to use the vehicle for the carriage of passengers on the journey in question or such parts thereof as are situated within that country.

(2) In relation to a vehicle to which this regulation applies, the provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall have effect as if articles 59, 60 and 70 of the Order of 1981 were omitted and as if—

- (a) insofar as the vehicle is used to provide a service for the carriage of passengers such as is mentioned in paragraph 1(a) or 1(b) of Article 3 of Council Regulation No. 117/66, for section 4 of the Act of 1967 there were substituted the following section:—

“4. No person shall cause or permit a vehicle to be used on a road for the international carriage of passengers unless there is in force in relation to the use of the vehicle, and is carried on the vehicle, a document which is issued by the competent authority of the country in which the vehicle is registered in the form set out in Schedule 3 to the European Communities (International Passenger Services) Regulations (Northern Ireland) 1981 and which is duly completed.”; and

- (b) in so far as the vehicle is used for the carriage of passengers such as is mentioned in paragraph 1(c) of the Article, for section 4 of the Act of 1967 there were substituted the section set out in Schedule 2.

Certain occasional services by vehicles not registered in an EEC Member State or a member country of the European Conference of Ministers of Transport

11.—(1) This regulation applies to a vehicle—

- (a) which is registered in a country not being a member State or a country mentioned in regulation 10(1)(a);
- (b) which is brought into Northern Ireland for the purpose of carrying passengers who are making only a temporary stay therein or are in transit, being passengers who commenced their journey from the country in which the vehicle is registered or, as the case may be, from Great Britain; and
- (c) which remains in Northern Ireland for a period not exceeding three months from the date of its entry therein;

insofar as the vehicle is used as mentioned in sub-paragraphs (i) and (ii) of regulation 10(1).

(2) The provisions of Part II of the Act of 1967 and Part V of the Order of 1981 shall, in relation to a vehicle to which this regulation applies, have effect as if articles 59, 60 and 70 of the Order of 1981 were omitted and for section 4 of the Act of 1967 there were substituted the section as set out in Schedule 2.

PART IV

APPLICATIONS FOR ISSUE OF AUTHORISATIONS AND OTHER DOCUMENTS AND FEES IN RESPECT THEREOF

Competent authority for the purposes of the Council Regulations and the Commission Regulation

12. The Department shall be the competent authority for all purposes of the Council Regulations and the Commission Regulation.

Application for, issue of, and fees payable in respect of, authorisations for international passenger services

13.—(1) An application for, or for the variation of the conditions of, a regular service authorisation or a special regular service authorisation under Council Regulation No. 517/72 or for a shuttle service authorisation under Council Regulation No. 516/72 shall be made to the Department on the form prescribed by Regulation (EEC) No. 1172/72 of the Commission of 26 May 1972(a).

(2) An application for any other authorisation required by these Regulations or by the Act of 1967 as modified by these regulations, for the use of a vehicle for the international carriage of passengers by road shall be made to the Department.

(3) An applicant for a shuttle service authorisation shall pay, when the application is made, a fee of £50 in respect of the application.

(4)(a) An applicant for a regular, or special regular, service authorisation shall pay, when the application is made, a fee of £20 in respect of the application and a fee of £20 in respect of each year of the validity of the authorisation.

(b) An applicant for the variation of the conditions of a regular, or special regular, service authorisation shall pay when the application is made, a fee of £20 in respect of the application.

(5) An applicant for an international transport authorisation required by virtue of regulation 4(2)(b) shall pay, when the application is made, a fee of £10 in respect of the application.

(a) O.J. No. L134: 12.6.72, p. 527

Applications for, and issue of, certificates and control documents for works and occasional services

14.—(1) The following provisions of this regulation shall have effect with respect to the issue of a certificate (specified in Article 1 of the Commission Regulation being the certificate which by virtue of Article 6 of Council Regulation No. 117/66 is required to be in force in respect of the provision of a service such as is mentioned in that Article) or of a control document (specified in Article 2 of the Commission Regulation being the document applicable in respect of the provision of a service such as is mentioned in Article 3 of that Council Regulation).

(2) An application for the issue of a certificate or control document referred to in paragraph (1) shall be made to the Department.

(3) The period of validity of a control document shall be five years.

(4) The top copy of every passenger waybill (being the document which, as mentioned in Article 2 of the Commission Regulation is the document applicable in respect of the provision of a service for the carriage of passengers such as is mentioned in Article 3 of Council Regulation No. 117-66) shall be retained, after the service in question has been provided, by the person by whom or on whose behalf it was provided and shall be sent to the Department so as to reach it not later than 31st March next following the end of the calendar year in which the service to which the waybill relates was provided.

(5) The duplicate of every such passenger waybill (being the duplicate which, by virtue of Article 2(1) of the Commission Regulation is required to be contained in a control document such as is mentioned in that Article) shall not be detached from that document at any time during its period of validity.

PART V

PENALTIES, ENFORCEMENT, SUPPLEMENTARY AND CONSEQUENTIAL PROVISIONS

Production, inspection and copying of documents in relation to Community regulated, regular, special regular and shuttle services

15.—(1) Paragraph 2 shall have effect in relation to a vehicle where it appears to an authorised inspection officer that the vehicle—

- (a) is being used for the provision of a Community regulated service; and
- (b) is being used, or has been brought into Northern Ireland for the purpose of being used, in such circumstances as, by virtue of any of the provisions specified in paragraph 3, to require a document of a description referred to in that provision to be carried on the vehicle.

(2) Where in the circumstances mentioned in paragraph (1), an authorised inspection officer requires, in pursuance of any of the provisions specified in paragraph 3, the driver of a vehicle to produce a document of a description referred to in that provision, the authorised inspection officer shall, if so required produce his authority for making that requirement and—

- (a) he may require the driver of the vehicle to permit him to inspect and copy the document and (in the case of a document of a description referred to in regulation 16) to mark it with an official stamp; and
- (b) he may detain the vehicle for such time as is requisite for the purpose of inspecting and copying the document.

(3) The provisions referred to in paragraph (1) as being specified in this paragraph are—

- (a) Article 17 of Council Regulation No. 517/72 (which provides, inter alia, that the authorisation required by that Regulation for the use of a vehicle to provide a service for the carriage of passengers such as is mentioned in Article 1 thereof shall be carried on the vehicle);
- (b) Articles 17 and 18 of Council Regulation No. 516/72 (which provide respectively, inter alia, that the authorisation required by that Regulation for the use of a vehicle to provide a service for the carriage of passengers such as is mentioned in Article 1 thereof shall be carried on the vehicle and that passengers using that service shall be provided with a ticket throughout the journey in question); and
- (c) regulation 16.

Carriage on the vehicle and inspection of certificate and control document issued under Articles 6 and 9 of Council Regulation No. 117/66.

16.—(1) In relation to a vehicle being used to provide a Community regulated service for the carriage of passengers such as is mentioned in Article 6 of Council Regulation No. 117/66 there shall be carried on the vehicle at all times while it is being used, the certificate specified in Article 1 of the Commission Regulation, being the certificate which, by virtue of the said Article 6, is required to be in force in respect of the provision of that service; and an authorised inspection officer on production if so required of his authority may require the driver of the vehicle to produce that certificate.

(2) Where it appears to an authorised inspection officer that a vehicle is being used in such circumstances as to require, by virtue of Article 3(2) of the Commission Regulation the top copy of a passenger waybill (being the document which, by virtue of Article 2 of that Regulation, has been detached from a control document such as is mentioned in that Article and is the document applicable in respect of the provision of a service for the carriage of passengers such as is mentioned in Article 3 of Council Regulation No. 117/66) to be kept on the vehicle, the authorised inspection officer may, on production if so required of his authority—

- (a) require the driver of the vehicle to produce that document and to permit him to inspect and copy it and to mark it with an official stamp, and
- (b) may detain the vehicle for such time as is required for the purpose of inspecting, copying and marking the document.

Withdrawal of regular, special regular and shuttle service authorisations

17.—(1) If the Department is at any time satisfied that a holder of a regular special regular or shuttle service authorisation issued by it—

- (a) has failed to comply with the relevant Council Regulation, with the authorisation or any conditions specified therein; or
- (b) has failed to operate or is no longer operating, a service under the authorisation,

it may, by notice in writing to the holder, withdraw the authorisation.

(2) Where the Department decides to withdraw an authorisation in exercise of its powers under Article 19 of Council Regulation No. 516/72 or Article 18 of Council Regulation No. 517/72 it may do so by notice in writing to the holder of the authorisation.

(3) The withdrawal of an authorisation in accordance with this regulation shall take effect on the date specified in the notice which shall be not earlier than 28 days after the date of service of the notice.

(4) Where an authorisation is withdrawn in accordance with this regulation it shall be of no effect and the holder shall forthwith surrender the authorisation to the Department.

(5) At any time that is reasonable having regard to the circumstances of the case, an authorised inspection officer may, on production if so required of his authority, enter any premises of the holder of an authorisation which has been withdrawn in accordance with this regulation and may require the holder to produce the authorisation and, on its being produced, may seize and deliver it to the Department.

(6) Where it appears to an authorised inspection officer that a document produced to him in pursuance of regulation 15 is an authorisation which has been withdrawn in accordance with this regulation he may seize it and deliver it to the Department.

(7) In paragraph (1) of this regulation "relevant Council Regulation" means in the case of a regular or special regular service authorisation Council Regulation No. 517/72 and in the case of a shuttle service authorisation Council Regulation No. 516/72.

Penalty for contravention of the Council Regulations or the Commission Regulation

18.—(1) A person is guilty of an offence under this regulation if he uses a vehicle for Community regulated carriage of passengers or causes or permits a vehicle to be used—

- (a) to provide a service for the carriage of passengers such as is mentioned in Article 1 of Council Regulation No. 117/66 (that is to say, a regular service or a special regular service as defined in that Article), not being, in either such case, a service such as is mentioned in Article 6 of that Regulation, otherwise than under and in accordance with the terms of an authorisation issued under Article 2 of Council Regulation No. 517/72; or
- (b) to provide a service for the carriage of passengers such as is mentioned in Article 2 of Council Regulation No. 117/66 (that is to say, a shuttle service as defined in that Article), not being a service such as is mentioned in Article 6 of that Regulation, otherwise than under and in accordance with the terms of an authorisation issued under Article 2 of Council Regulation No. 516/72; or
- (c) to provide a service for the carriage of passengers such as is mentioned in Article 6 of Council Regulation No. 117/66 (that is to say, a service provided by an undertaking for its own workers in relation to which the conditions mentioned in paragraph 1(a) and (b) of that Article are fulfilled) without there being in force in relation to the service a certificate issued under Article 1 of the Commission Regulation.

(2) A person guilty of an offence under this regulation shall be liable on summary conviction to a fine not exceeding £200.

Penalties relating to documents required in respect of Community regulated services

19. A person who—

- (a) contravenes, or fails to comply with a requirement imposed by or under regulation 15(2)(a), 16(1) or (2) or 17(4) or (5); or
- (b) obstructs an authorised inspection officer in the exercise of his powers under regulation 15(2), 16(1) or (2), or 17(5) or (6)

shall be liable on summary conviction to a fine not exceeding £200.

Penalties for forgery and false statements, etc.

20. In section 34 (forgery) and 35 (false statements) of the Act of 1967 the references to a licence under Parts II and III of the Act shall include references to any authorisation, certificate or other document required by any of the Council Regulations or the Commission Regulation, or by these regulations to be in force in

relation to a vehicle, or to be kept or carried on a vehicle, used for the international carriage of passengers.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 17th June 1981.

(L.S.)

J. M. Irvine

Assistant Secretary

The Department of Finance hereby consents to regulation 13(3), (4) and (5).

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 17th June 1981.

(L.S.)

R. McMurray

Assistant Secretary

SCHEDULE 1

(see Regulation 2)

The Council Regulations and the Commission Regulation

- “Council Regulation No. 117/66” means Regulations No. 117/66/EEC of the Council of 28th July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus(a);
- “Commission Regulation No. 1016/68” means Regulation (EEC) No. 1016/68 of the Commission of 9th July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No. 117/66/EEC(b);
- “Council Regulation No. 516/72” means Regulation (EEC) No. 516/72 of the Council of 28th February 1972 on the introduction of common rules for shuttle services by coach and bus between Member States(c);
- “Council Regulation No. 517/72” means Regulation (EEC) No. 517/72 of the Council of 28th February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States(d).

(a) O.J. No. 147, 9.8.1966, p. 2688
(b) O.J. No. L. 173, 22.7.1968, p. 8
(c) O.J. No. L. 67, 20.3.1972, p. 13
(d) O.J. No. L. 67, 20.3.1972, p. 19

SCHEDULE 2

(See Regulations 8(2), 9(2), 10(2) and 11(2))

4.—(1) No person shall cause or permit a public service vehicle to be used on a road for the international carriage of passengers unless there is in force and is carried on the vehicle, an international passenger transport authorisation.

(2) An authorisation under this section may authorise the use of the vehicle or vehicles to which it relates on a specified occasion or during a specified period.

(3) In this section—

“specified” means specified in the authorisation; and

“international passenger transport authorisation” means a licence, permit, authorisation or other document issued by the Department in pursuance of an international agreement or arrangement to which the United Kingdom is for the time being a party.

SCHEDULE 3

(See Regulation 10(2))

(The following is the control document in Annex 1 to Report of the Committee of Deputies of the European Conference of Ministers of Transport presented to and adopted by the Council of Ministers of the said Conference at a meeting in Paris on the 16th June 1971.)

(Front)

..... White paper—30 cm × 21 cm or 32 cm × 21 cm Carnet No.
 Waybill No.

(Text drafted in the official language(s) of the Member country where the vehicle employed is registered, and in English and French.)

WAYBILL
 (Please use block letters)

Issuing country
 (Insert country symbol)

1. Vehicle
 Registration No.
 Seating capacity
2. Transport operator
 Name and first name, or business name and address
3. Driver(s) name(s): 1 2
4. Type of service
 (a) closed door circular tour
 (b) outward journey laden — return trip unladen
5. Journey schedule
 For journeys referred to under 4(b): Passengers will be left at

 (name of locality and country)

Date	Stages day-by-day		Vehicles driven		km per day	Point of entry at frontier of the Member country concerned
	from	to	laden	unladen		

6. Passenger list (names and initials)

1.	21.	41.
2.	to	to
3.		
to		
20.	40.	60.
7.		

.....
 (date of issue of waybill) (Transport Operator's Signature)

8. Unforeseen changes

Inspection visas, if any

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EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations revoke and replace the European Communities (Public Service Vehicles) Regulations (Northern Ireland) (1973), the European Communities (International Passenger Services) Regulations (Northern Ireland) 1973 and the European Communities (International Passenger Services) Regulations (Northern Ireland) 1979. They supplement and enforce the Regulations of the Council and Commission of the European Communities referred to in regulation 2(2) which relate to the international carriage of passengers by coach and bus. They also make provision for international passenger services to which those Regulations do not apply (non-Community regulated services as defined in regulation 2(2)).

Part II of the regulations provides for vehicles registered in the United Kingdom when used for the international carriage of passengers. They provide exemptions for vehicles used on Community regulated or non-Community regulated services, from the requirements of section 4 of the Transport Act (Northern Ireland) 1967 for a road service licence, in so far as applicable, and in the case of vehicles registered in Great Britain when used in Northern Ireland for the international carriage of passengers, from the requirements of Articles 59, 60 and 70 of the Road Traffic (Northern Ireland) Order 1981 relating to the licensing of public service vehicles and their drivers.

Part III of the Regulations provides for vehicles registered outside the United Kingdom. Regulation 6 exempts small vehicles visiting Northern Ireland temporarily from the requirements of section 4 of the 1967 Act and Articles 59, 60 and 70 of the 1981 Order.

The remaining regulations in Part III exempt such vehicles used to provide certain international passenger services from the requirements of section 4 of the 1967 Act and Articles 59, 60 and 70 of the 1981 Order subject to compliance with the Council Regulations or the Commission Regulation where applicable, or to the vehicle being used under a licence, permit, authorisation or other document issued by the Department in pursuance of an international agreement or arrangement.

Part IV of the regulations designates the Department as the competent authority of Northern Ireland for the purposes of the Council Regulations and the Commission Regulation in relation to carriage to, from, or through Northern Ireland (regulation 12). Regulation 13 specifies the fees payable in respect of applications for, and the issue of, certain authorisations for services. Regulation 14 provides for applications for, and the issue of, certificates and control documents for works and occasional services.

Part V of the regulations relates principally to penalties and enforcement. Regulations 15 and 16 supplement the requirements of the Council Regulations and the Commission Regulation as to the carrying of documents on the vehicle and the production and inspection of documents, in the case of Community regulated services.

Regulation 17 supplements, and regulates the exercise of, the powers of withdrawal of regular and shuttle service authorisations conferred by the Council Regulations or the Commission Regulation.

Regulation 18 provides a penalty of a fine not exceeding £200 on summary conviction for the operation of a service in contravention of the Council Regulations or the Commission Regulation.

Regulation 19 provides a penalty of a fine not exceeding £200 on summary conviction for breaches of requirements of certain provisions of these regulations or of the Council Regulations or the Commission Regulation as to control documents, their retention and production to authorised inspection officers (as defined in Regulation 2(2)) and the obstruction of such officers exercising powers under these Regulations or the Council or Commission Regulations.

Regulation 20 deals with forgery and false statements in relation to control documents.