

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Public Service Vehicles (Community Licences) Regulations 2011. They implement Regulation (EC) No 1073/2009 of the European Parliament and of the Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator (OJ No L300, 14.11.2009, p.88; “the EU Regulation”) and the Agreement on the international occasional carriage of passengers by coach and bus (OJ No L321, 26.11.2002, p.13; “the Interbus Agreement”). The Regulations extend to Great Britain.

The EU Regulation and the Interbus Agreement establish rules allowing access to the market for the provision of international bus and coach services.

In particular the EU Regulation provides for a Community licence and makes provision in relation to regular services, special regular services, occasional services and cabotage, requiring an authorisation for the operation of regular services and the carrying of control documents. Relevant terms are defined in Article 2 of the EU Regulation.

The Interbus Agreement makes provision in relation to occasional services from States which are contracting parties to the Agreement, requiring an authorisation in relation to non-liberalised occasional services and the carrying of control documents in relation to liberalised occasional services. Relevant terms are defined in Article 3 of the Agreement.

Regulation 4 designates the competent authorities for the purposes of the EU Regulation and the Interbus Agreement.

Regulations 5 and 6 disapply certain domestic road transport requirements for public service vehicles not registered in the United Kingdom but providing services under the EU Regulation or Interbus Agreement.

Regulation 7 makes provision for the payment of fees to the competent authorities for the issue of control documents or an authorisation. Regulation 8 makes provision in relation to the retention of control documents. Regulation 9 confers entitlement to a Community licence on the basis of possessing the relevant Great Britain operator's licence.

Regulations 10 to 12 make provision in relation to information to be supplied with applications for a Community licence, the withdrawal of Community licences and appeals against withdrawal.

Regulation 13 gives power to stopping officers (as defined in that regulation) to stop vehicles to check whether an offence under the Regulations has been committed. Offences are set out in regulation 16 and Schedules 1 and 2 and regulation 18 provides that they are punishable on summary conviction by a fine not exceeding level 4 on the standard scale.

Provision is made for the automatic transfer of a Community licence and an authorisation following the death, bankruptcy or incapacity of the holder (regulation 14) and for offences which may be committed by a body corporate (regulation 17). In addition provision is made for the amendment of other relevant legislation (regulation 15).

The net costs on business, the voluntary sector and the public sector by these Regulations have been assessed as being less than £5 million in any year and therefore a full impact assessment has not been prepared, and a review provision has not been included. An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Road Transport (International Passenger Services) Regulations 2018.