STATUTORY INSTRUMENTS

2024 No. 679

ROAD TRAFFIC

TRADE

The Goods Vehicles (International Road Transport Permits and Haulage Within the EU) Regulations 2024

Made - - - - *21st May 2024*

Coming into force *11th June 2024*

CONTENTS

PART 1
Preliminary provisions

1. Citation and commencement
2. Extent
3. Interpretation

PART 2
Permits

4. Permit requirement for commercial journey to, in or through listed country
5. Types of permit
6. Number of permits
7. Fees payable for permits
8. Application for permit
9. Withdrawal of application for permit
10. Grant of permit
11. Conditions
12. Duration of permit
13. Refusal of permit
14. Temporary exemption to deal with emergency or other special need

PART 3
Enforcement of permit requirement

15. Direction to comply with permit condition
16. Cancellation of permit
17. Appeal against cancellation

18. Appeal to traffic commissioner

PART 4
Haulage between two points in the EU

19. Part 4 – Interpretation
20. Requirements for commercial journey within or between EU member States
21. Limit on number of journeys within the EU
22. Posting requirements for journeys within the EU
23. Requirement to comply with posting enquiries
24. Power to stop
25. Production of posting declaration and inspection of vehicles
26. Prohibition notices
27. Offences: breach of regulations etc.

PART 5
Miscellaneous provisions

28. Periodic review of regulatory provision
29. Revocation of the International Road Transport Permits (EU Exit) Regulations 2018
30. Amendment of the Drivers' Hours and Tachographs (Amendment) (EU Exit) (No. 2) Regulations 2019

SCHEDULE 1 — Listed countries (countries in relation to which there is an agreement)
SCHEDULE 2 — Descriptions of uses which do not require permits
PART 1 — Preliminary provisions
PART 2 — Descriptions of uses pursuant to bilateral agreements
PART 3 — Descriptions of uses pursuant to multilateral agreements
SCHEDULE 3 — Fees
PART 1 — Application fees
PART 2 — Grant fees

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1(1) and (3), 2(1) and (2), 3(1) and (2), 4(1)(a) and (2), 5 and 25(1) of the Haulage Permits and Trailer Registration Act 2018(**a**) and section 31 of the European Union (Future Relationship) Act 2020(**b**).

In relation to the provision made under the Haulage Permits and Trailer Registration Act 2018, in accordance with section 23(1) of that Act, the Secretary of State has consulted such persons as the Secretary of State thinks fit.

(**a**) 2018 c. 19. Section 1(5) defines "regulations" as "regulations made by the Secretary of State".
(**b**) 2020 c. 29. See section 37 for a definition of "relevant national authority".

A draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament in accordance with paragraphs 6(3) and 34(1) to (3) of Schedule 5 to the European Union (Future Relationship) Act 2020.

PART 1

Preliminary provisions

Citation and commencement

1. These Regulations—

(a) may be cited as the Goods Vehicles (International Road Transport Permits and Haulage Within the EU) Regulations 2024, and

(b) come into force on the 21st day after the day on which they are made.

Extent

2. These Regulations extend to England and Wales, Scotland and Northern Ireland.

Interpretation

3.—(1) In these Regulations—

"the 2018 Act" means the Haulage Permits and Trailer Registration Act 2018(**a**);

"agreement" means a relevant international agreement(**b**);

"application" means an application under regulation 8;

"application fee" has the meaning given in regulation 7(1);

"carriage" includes haulage;

"ECMT agreements" means—

(a) the Protocol concerning the European Conference of Ministers of Transport done at Brussels on 17th October 1953(**c**),

(b) Resolution No. 26 concerning the Actual Coming into Force of a Multilateral Quota for International Transport of Goods by Road done at The Hague on 14th June 1973(**d**), and

(c) Consolidated Resolution No. 2000/1 concerning the Rules to be Applied for International Freight Transport by Road done at Prague on 30th and 31st May 2000(**e**);

"ECMT annual permit" has the meaning given in regulation 5;

"ECMT country" means a listed country in relation to which the Protocol concerning the European Conference of Ministers of Transport done at Brussels on 17th October 1953 is an agreement;

"ECMT international removal permit" has the meaning given in regulation 5;

(**a**) 2018 c. 19 ("the 2018 Act").

(**b**) Section 1(4) of the 2018 Act provides that "relevant international agreement" means "(a) in relation to a country other than Ireland, an international agreement— (i) to which the United Kingdom is a party, and (ii) which relates to the transport of goods by road to, in or through the country; (b) in relation to Ireland, an international agreement— (i) to which the United Kingdom is a party, (ii) which the Secretary of State has certified as an agreement to which the Government of Ireland has consented, and (iii) which relates to the transport of goods by road to, in or through Ireland".

(**c**) Treaty Series No. 32 (1954); also known as the Protocol to co-ordinate and rationalise European Inland Transport of international importance. A copy is published at www.itf-oecd.org/lacquis-cemtprincipal-acts-ecmt-1953-2003.

(**d**) CM(73)5, as continued by CM(73)24. A copy is published at www.itf-oecd.org/lacquis-cemtprincipal-acts-ecmt-1953-2003.

(**e**) CM(2000)10. A copy is published online at www.itf-oecd.org/lacquis-cemtprincipal-acts-ecmt-1953-2003. The current position with regards to reservations to the categories of transport exempted from permit requirements can be found at page 15 of the ECMT multilateral quota user guide: https://www.itf-oecd.org/sites/default/files/docs/guide_2022_0.pdf. The user guide clarifies that it does not affect agreements between the United Kingdom and the European Union.

"ECMT short-term permit" has the meaning given in regulation 5;

"goods" means goods or burden of any description;

"grant fee" has the meaning given in regulation 7(2);

"laden" means laden with goods;

"listed country" means a country(**a**) listed in Schedule 1;

"multiple-use permit" has the meaning given in regulation 5;

"operator's licence" means a licence—

(a) issued to an operator(**b**) under—

(i) the Goods Vehicles (Licensing of Operators) Act 1995(**c**), or

(ii) the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010(**d**), and

(b) authorising the operator to use a goods vehicle(**e**) on a road for the carriage of goods to a country outside the United Kingdom;

"permit" means an international road transport permit(**f**);

"relevant contract" means—

(a) a contract of service or apprenticeship, whether express or implied, and, if it is express, whether oral or in writing, or

(b) any other contract, whether express or implied and, if it is express, whether oral or in writing, whereby an individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual;

"single-use permit" has the meaning given in regulation 5;

"traffic commissioner" means a commissioner appointed under section 4 of the Public Passenger Vehicles Act 1981(**g**);

"type of permit" means a type of permit described in regulation 5.

(2) In these Regulations, a goods vehicle is used on a commercial journey if any part of that journey is—

(a) for hire or reward, or

(b) for or in connection with any trade or business carried on by the operator of the vehicle.

(3) In these Regulations, the operator of a goods vehicle is using it for the carriage of goods if the journey is—

(a) a laden journey undertaken for the carriage of goods, or

(b) an unladen journey undertaken in conjunction with such a journey.

(**a**) Section 10 of the 2018 Act provides that "country" includes "territory".

(**b**) Section 1(5) of the 2018 Act provides that "operator", in relation to a goods vehicle, means "(a) the driver of the vehicle, if the vehicle belongs to the driver or is in the driver's possession under an agreement for hire or hire-purchase, or a loan; (b) in any other case, the person whose employee or agent the driver is".

(**c**) 1995 c. 23.

(**d**) 2010 c. 2 (N.I.).

(**e**) Section 1(5) of the 2018 Act defines "goods vehicle" as "a motor vehicle registered under the Vehicle Excise and Registration Act 1994 (c. 22) which (alone or in combination with one or more other vehicles drawn by it) is constructed or adapted to carry or to haul goods or burden of any description".

(**f**) Section 1(2) of the 2018 Act provides that "international road transport permit" means a permit granted by the Secretary of State for the purposes of regulations under section 1(1).

(**g**) 1981 c. 14. Section 4 was substituted by section 3(2) of the Transport Act 1985 (c. 67) and amended by section 2 of the Local Transport Act 2008 (c. 26).

PART 2

Permits

Permit requirement for commercial journey to, in or through listed country

4.—(1) The operator of a goods vehicle is prohibited from using it on a journey for the carriage of goods to, in or through a listed country unless the use of that vehicle in that country is authorised by, and takes place in accordance with, a permit—

(a) granted by the Secretary of State, and

(b) carried on that vehicle.

(2) Paragraph (1) does not apply—

(a) where the journey is not a commercial journey,

(b) to the use of the vehicle by the operator on the part of the journey which—

(i) takes place in the listed country, and

(ii) is of a description in Schedule 2,

(c) where a temporary exemption has been granted under regulation 14 that applies in relation to the journey by the operator using the vehicle, or

(d) where a permit cannot be issued under these Regulations in relation to the use of the vehicle by the operator because one of the circumstances specified in paragraph (3) applies.

(3) The specified circumstances are—

(a) the operator of the vehicle is subject to a ban on the entry of vehicles possessed or owned by the operator in a listed country to, in or through which the journey would take place(**a**);

(b) the use of the vehicle on the journey is one that, under all agreements that relate to the listed country to, in or through which the operator proposes to use a goods vehicle on a journey, is not permitted.

(4) For the avoidance of doubt, the fact that paragraph (1) does not apply to the use of a vehicle by virtue of paragraph (2)(d) does not constitute authorisation for the vehicle to be so used on a journey for the carriage of goods to, in or through a listed country.

Types of permit

5.—(1) The types of permit that may be granted by the Secretary of State under these Regulations are—

(a) a permit which allows the use of a goods vehicle on multiple journeys to, in or through ECMT countries in a period of up to one year in accordance with the ECMT Multilateral Quota User Guide published in January 2022(**b**) (an "ECMT annual permit");

(b) a permit granting permission to carry out international removals in the form set out in Annex 2 of the ECMT Multilateral Quota User Guide published in January 2022, for use on journeys to, in or through ECMT countries (an "ECMT international removal permit");

(**a**) Certain bilateral agreements to which the United Kingdom is a party contain provisions excluding vehicles owned or operated by an operator from the territory of one of the parties where there has been an infringement of the agreement. The exclusion may be temporary or permanent.

(**b**) The ECMT Multilateral Quota User Guide is available at: https://www.itf-oecd.org/sites/default/files/docs/guide_2022_0.pdf. A hard copy can be obtained on request from the International Road Haulage Permit Office: email irhp@dvsa.gov.uk or telephone 020 8158 0250.

(c) a short-term ECMT licence valid for 30 calendar days in accordance with the ECMT Multilateral Quota User Guide published in January 2022, for use on journeys to, in or through ECMT countries (an "ECMT short-term permit");

(d) a permit which allows the use of a goods vehicle on multiple journeys to, in or through a specified listed country in a period of up to one year (a "multiple-use permit");

(e) a permit (a "single-use permit") which allows the use of a goods vehicle—

(i) on a single journey to, in or through any one or more specified listed countries;

(ii) in the case of a specified listed country in relation to which an agreement makes such provision, on two journeys comprising one journey to a specified listed country followed by one journey from that specified listed country to the United Kingdom, whether or not either of those journeys are in or through any other specified listed country.

(2) In this regulation "specified listed country" means a listed country in relation to which there is an agreement, in addition to, or other than, the ECMT agreements, which provides for the issuing of permits.

Number of permits

6. The number of permits available for the use of a goods vehicle on a journey to, in or through a listed country is to be determined in accordance with the agreement relating to that country.

Fees payable for permits

7.—(1) The fee payable in respect of an application for a type of permit specified in the first column of the table in Part 1 of Schedule 3 is the amount specified in the corresponding entry in the second column of that table (the "application fee").

(2) The fee payable in respect of the grant of a type of permit specified in the first column of the table in Part 2 of Schedule 3 is the amount specified in the corresponding entry in the second column of that table (the "grant fee").

Application for permit

8.—(1) To obtain a permit, an operator must—

(a) make an application to the Secretary of State, and

(b) pay the application fee, if any such fee is payable.

(2) The application must include the following—

(a) the name of—

(i) the operator,

(ii) any listed country to, in or through which the operator proposes to use a goods vehicle on a journey to which the application relates, and

(iii) the type of permit applied for;

(b) the address of the operator;

(c) an explanation as to whether any journey to which the application relates is to, in or through each listed country named in accordance with paragraph (2)(a)(ii);

(d) any request relating to the date on which the permit should take effect;

(e) a description of the goods the operator intends to carry on any journey to which the application relates;

(f) details of the goods vehicle the operator intends to use on any journey to which the application relates, including particulars of the gaseous and particulate pollutants emitted by the engine propelling the vehicle;

(g) if the operator is required to hold an operator's licence for any journey to which the application relates(**a**), the number of that licence;

(h) if the application is for a type of permit under which the operator may make more than one journey, an estimate of the number and frequency of the journeys.

Withdrawal of application for permit

9.—(1) An operator may, by notifying the Secretary of State, withdraw their application at any time before the day on which the Secretary of State makes a decision on the application.

(2) The operator is not entitled to the return of the application fee.

Grant of permit

10. The Secretary of State may only decide whether to grant a permit to an operator after considering the following—

(a) the number of permits available;

(b) the information contained in the application;

(c) the attachment of conditions;

(d) the obligations of the United Kingdom as a party to the agreement that relates to the listed country to, in or through which the operator proposes to use a goods vehicle on a journey.

Conditions

11.—(1) The Secretary of State may grant a permit subject to—

(a) the condition that the permit holder must pay the grant fee;

(b) the condition that, for the duration of the permit, the permit holder must hold an operator's licence that is not suspended or curtailed;

(c) the condition that the permit holder must—

(i) keep a record of each journey made under the permit, and

(ii) provide the record to the Secretary of State;

(d) any other condition determined by the Secretary of State.

(2) A condition may be attached to a permit at any time before the permit has effect.

Duration of permit

12. A permit has effect for the duration specified in the right-hand column of the table in relation to that type of permit.

Type of permit	*Duration*
ECMT annual permit	The period: — beginning with: • the day the permit is granted, or • the day requested in the application (if any), if that day is within the period of 60 days beginning with the day the permit is granted, and

(**a**) The operator of a goods vehicle may be obligated to hold an operator's licence, in Great Britain, under section 2 of the Goods Vehicles (Licensing of Operators) Act 1995 or, in Northern Ireland, under section 1 of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010.

	— ending with 31st December of the year in which the period begins.
ECMT international removal permit	The period of one year beginning with: — the day the permit is granted, or — the day requested in the application (if any), if that day is within the period of 60 days beginning with the day the permit is granted.
ECMT short-term permit	The period of 30 days beginning with — the day the permit is granted, or — the day requested in the application (if any), if that day is within the period of 60 days beginning with the day the permit is granted.
multiple-use permit; single-use permit	The period: — beginning with: • the day the permit is granted, or • the day requested in the application (if any), if that day is within the period of 60 days beginning with the day the permit is granted, and — ending with: • for a permit relating to Azerbaijan or Belarus, 31st January of the year following the year in which the period begins, or • for a permit relating to any other listed country, 31st December of the year in which the period begins.

Refusal of permit

13.—(1) If the Secretary of State decides not to grant a permit, the Secretary of State must notify the operator who applied for it, within the period of 28 days beginning with the day after the day the decision is made, of the reasons for the decision.

(2) The operator is not entitled to the return of the application fee.

Temporary exemption to deal with emergency or other special need

14.—(1) The Secretary of State may grant a temporary exemption from the prohibition imposed by regulation 4 for the purpose of enabling an emergency or some other special need to be dealt with.

(2) The temporary exemption may be created by—

(a) giving a notice in writing to the operator to whom it relates, or

(b) publishing a notice specifying the class of operators to whom it relates(**a**).

(**a**) Section 3(3) of the 2018 Act requires a notice under paragraph (2) to specify the vehicle or class of vehicles to which it relates and the journeys to which it relates.

PART 3

Enforcement of permit requirement

Direction to comply with permit condition

15.—(1) This regulation applies if an operator—

(a) holds a permit to which a condition has been attached under regulation 11, and

(b) breaches such a condition.

(2) The Secretary of State may—

(a) notify the operator of the breach of the condition, and

(b) direct the operator to remedy the breach within the period of 28 days beginning with the day after the day the operator is so notified.

Cancellation of permit

16.—(1) The Secretary of State may cancel a permit if the operator who holds it—

(a) requests its cancellation,

(b) breaches a condition attached to it under regulation 11, or

(c) is guilty of an offence (relating to forgery, false statements, etc.) in respect of the permit, or an application for that permit, under any of the following—

(i) section 173(1) of the Road Traffic Act 1988(**a**);

(ii) section 174(1)(e) of the Road Traffic Act 1988;

(iii) Article 174(1)(a)(iii) of the Road Traffic (Northern Ireland) Order 1981(**b**);

(iv) Article 174(2) of the Road Traffic (Northern Ireland) Order 1981;

(v) section 36(1) of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010(**c**);

(vi) section 37(1)(e) of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010.

(2) If the Secretary of State cancels a permit, the Secretary of State must notify the operator of—

(a) the reason for cancelling it, and

(b) the date on which it ceases to have effect, which must not be before the end of the period of 28 days beginning with the day after the day the operator is so notified.

(3) A permit may be cancelled for a breach of a condition attached to it regardless of whether the Secretary of State notifies the operator of the breach under regulation 15.

(4) Unless the Secretary of State withdraws a cancellation notification, or there is a decision under regulation 18(2)(b) that the cancellation should be suspended pending an appeal, a permit ceases to have effect on the date specified in the notification.

(**a**) 1988 c. 52. Section 173(2)(l) has the effect that the offence in section 173(1) applies to any international road haulage permit and section 192(1), as amended by paragraph 3 of the Schedule to the 2018 Act, has the effect that "international road haulage permit" includes an international road transport permit within the meaning given by section 1(2) of the 2018 Act.

(**b**) S.I. 1981/154 (N.I. 1), amended by paragraph 2 of the Schedule to the 2018 Act and S.I. 2007/916 (N.I. 10); other amendments are not relevant. Article 174(2A)(c) has the effect that the offence in Article 174(2) applies to any international road haulage permit and Article 174(5A) has the effect that "international road haulage permit" includes an international road transport permit within the meaning given by section 1(2) of the 2018 Act.

(**c**) Section 36(2)(e) has the effect that the offence in section 36(1) applies to any international road haulage permit and section 58(1), as amended by paragraph 4 of the Schedule to the 2018 Act has the effect that "international road haulage permit" includes an international road transport permit within the meaning given by section 1(2) of the 2018 Act.

Appeal against cancellation

17.—(1) An operator who has a permit cancelled under regulation 16(1) may appeal against the decision to cancel the permit on the ground that the Secretary of State made an error of fact or law in making that decision.

(2) An appeal under paragraph (1) may be made to—

(a) a traffic commissioner if the operator has—

(i) a licence issued to an operator under the Goods Vehicles (Licensing of Operators) Act 1995, or

(ii) no operator's licence, but has in Great Britain their principal place of business for which the permit was required, or

(b) the Upper Tribunal(**a**) if the operator has—

(i) a licence issued to an operator under the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010, or

(ii) no operator's licence, but has in Northern Ireland their principal place of business for which the permit was required.

(3) The traffic commissioner or the Upper Tribunal, as the case may be, may in relation to an appeal under paragraph (1)—

(a) confirm the Secretary of State's decision to cancel the permit, or

(b) quash the decision.

Appeal to traffic commissioner

18.—(1) An appeal to a traffic commissioner against the cancellation of a permit must be brought within the period of 28 days beginning with the day after day the operator is notified of the cancellation.

(2) The traffic commissioner deciding the appeal must—

(a) consider any written representations made, and any evidence provided, by the appellant,

(b) if the appellant makes a written application for the cancellation to be suspended pending the appeal, decide whether the cancellation should be so suspended,

(c) decide the appeal and inform the appellant of the outcome of the appeal—

(i) within the period of 56 days beginning with the day after the day the appeal is brought, or

(ii) within any further period the traffic commissioner considers necessary for the appeal to be dealt with fairly and justly, and

(d) provide reasons for any decision made under this regulation.

(3) The traffic commissioner may include in any decision made under this regulation any directions the traffic commissioner considers appropriate to give effect to it.

PART 4

Haulage between two points in the EU

Part 4 – Interpretation

19. In this Part—

(**a**) The Upper Tribunal was established by section 3(2) of the Tribunal, Courts and Enforcement Act 2007 (c. 15). Information on appealing to the Upper Tribunal is available at www.gov.uk/administrative-appeals-tribunal. The procedure for the Upper Tribunal is enacted in the Tribunal Procedure (Upper Tribunal) Rules 2008 (S.I. 2008/2698).

"between member States" means, in relation to a journey, the journey from a location in a member State to a location in any other member State regardless of whether the journey is through any other country;

"copy" means a copy in electronic or paper form;

"country" includes territory;

"EU Market Information System" means the Internal Market Information System mentioned in Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC(**a**) as it has effect in EU law;

"examiner" means—

(a) an examiner appointed under section 66A of the Road Traffic Act 1988(**b**), or

(b) an examiner appointed under Article 74 of the Road Traffic (Northern Ireland) Order 1995(**c**);

"goods vehicle" has the meaning given by section 1(5) of the 2018 Act(**d**);

"operator" has the meaning given by section 1(5) of the 2018 Act;

"posting declaration" has the meaning given in regulation 22(2);

"within a member State" means, in relation to a journey, the journey from a location in a member State to a location in the same member State regardless of whether the journey is through any other country.

Requirements for commercial journey within or between EU member States

20.—(1) The operator of a goods vehicle is prohibited from using it on a commercial journey for the carriage of goods between member States or within a member State unless the operator complies with the limit on journeys set out in regulation 21.

(2) The operator of a goods vehicle is prohibited from using it on a commercial journey for the carriage of goods between member States or within a member State unless the conditions specified in regulation 22 are satisfied in relation to the use of that vehicle in that manner.

(3) Paragraphs (1) and (2) do not apply where the use of the vehicle on a commercial journey for the carriage of goods between member States is authorised by, and takes place in accordance with, an ECMT annual permit or an ECMT short-term permit.

(4) Paragraph (2) does not apply unless—

(a) the journey is conducted under a contract concluded between the operator of the vehicle and another party for the carriage of goods, and

(b) there is a relevant contract between the person driving the vehicle on that journey and the operator of the vehicle for the duration of the journey.

Limit on number of journeys within the EU

21.—(1) The operator of a goods vehicle must not use it to make any laden journey between or within member States ("member State journey") unless—

(a) the member State journey follows a laden journey from the United Kingdom to a member State,

(b) the member State journey is of a type listed in paragraph (2), and

---

(**a**) OJ No. L 316, 14.11.2012, p. 1, amended by OJ No. L 295, 21.11.2018, p. 1 and OJ No. L 249, 31.7.2020, p. 9; other amendments are not relevant. The Internal Market Information System may be accessed via https://ec.europa.eu/internal_market/imi-net/about/index_en.htm.

(**b**) Section 66A was inserted by section 9(1) of the Road Traffic Act 1991 (c. 40).

(**c**) S.I. 1995/2994 (N.I. 18). There are amending instruments, but none are relevant.

(**d**) Part 4 is made under the European Union (Future Relationship) Act 2020 (c. 29) so terms defined in the 2018 Act do automatically attract the meaning from that Act.

(c) the vehicle has not left the territory of the European Union, except as part of a member State journey of a type listed in paragraph (2).

(2) The listed member State journeys are—

(a) if—

(i) the operator is a Northern Ireland operator, and

(ii) the laden journey from the United Kingdom to a member State is from Northern Ireland to Ireland,

up to two laden journeys within Ireland that occur within the period of seven days beginning with the day after the day on which the last unloading of goods on the laden journey from Northern Ireland to Ireland occurs;

(b) in the case of a use other than that mentioned in sub-paragraph (a), one laden journey within the member State that occurs within the period of seven days beginning with the day after the day on which the last unloading of goods on the laden journey from the United Kingdom to that member State occurs;

(c) if the vehicle has been used for one laden journey within the member State as mentioned in sub-paragraph (a) or (b), one laden journey between member States;

(d) if the vehicle has not been used for one laden journey within the member State as mentioned in sub-paragraph (a) or (b), up to two laden journeys between member States.

(3) In this regulation—

"Northern Ireland operator" means an operator who has—

(a) a licence issued to the operator under the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010, or

(b) no such licence, but has in Northern Ireland their principal place of business;

"within Ireland" means, in relation to a journey, the journey from a location in Ireland to another location in Ireland regardless of whether the journey is through Northern Ireland.

Posting requirements for journeys within the EU

22.—(1) The conditions specified for the purposes of regulation 20(2) are that—

(a) the operator submits a posting declaration at or before the time the journey commences, and

(b) during the journey the driver of the vehicle carries a copy of the posting declaration.

(2) In this regulation "posting declaration" means a declaration—

(a) made using the EU Market Information System, and

(b) declaring—

(i) the identity of the operator making the declaration;

(ii) the contact details of an individual located in the United Kingdom who is able to correspond with a representative of a member State on behalf of the operator;

(iii) the name, residential address and driving licence number of the driver of the vehicle on the journey for which the declaration is required;

(iv) the expected duration of the journey;

(v) the registration plate of the vehicle;

(vi) the start date of, and the law applicable to, the driver's relevant contract with the operator.

Requirement to comply with posting enquiries

23.—(1) In this regulation—

"posting enquiry" means a request for information relating to a journey to or in a member State made by, or on behalf of, the member State using the EU Market Information System;

"relevant date" means the last day of the period of one year beginning with the day after the day the journey to which the posting enquiry relates finishes;

"relevant enquiry" means a posting enquiry that is made within the period beginning with the day the journey commences and ending with the relevant date.

(2) Where regulation 20(2) applies, the operator of a goods vehicle which is used at any time on a commercial journey for the carriage of goods between member States or within a member State must, in accordance with paragraph (3), comply with any relevant enquiry.

(3) The operator must comply with a relevant enquiry within the period of 56 days beginning with the day after the day the enquiry is made.

Power to stop

24.—(1) Paragraph (2) applies if it appears to—

(a) in Great Britain, a stopping officer, or

(b) in Northern Ireland, an examiner appointed under Article 74 of the Road Traffic (Northern Ireland) Order 1995,

that a goods vehicle is being used on a journey between member States or within a member State.

(2) In Great Britain, the stopping officer or, in Northern Ireland, the examiner may direct the driver to stop the vehicle for the purpose of enabling an examiner to exercise the power under regulation 25(2)(a).

(3) In this regulation "stopping officer" means an officer appointed under section 66B of the Road Traffic Act 1988(**a**).

Production of posting declaration and inspection of vehicles

25.—(1) An examiner may exercise the powers under this regulation in relation to a goods vehicle if it appears to the examiner that—

(a) the vehicle has been used on a journey to which regulation 20(1) applies and that the limit on journeys set out in regulation 21 has not been complied with,

(b) the vehicle has been used on a journey to which regulation 20(2) applies and that the condition in regulation 22(1)(a) has not been satisfied, or

(c) the vehicle is being used on a relevant journey.

(2) The examiner may—

(a) inspect the vehicle for the purpose of checking that the use of the vehicle on the relevant journey does not, or did not, breach regulation 20(1) or (2);

(b) require the driver of a vehicle being used on a journey to which regulation 20(2) applies to produce a copy of the posting declaration that is carried on the vehicle and allow the examiner to inspect and copy it.

(3) The examiner may detain the vehicle for the purpose of—

(a) exercising powers under paragraph (2), or

(b) taking other steps to check that the use of the vehicle on the relevant journey does not, or did not, breach regulation 20(1) or (2).

(4) Before exercising a power under this regulation an examiner must, if requested to do so, produce evidence of the examiner's authority.

(5) In this regulation "relevant journey" means a journey to which regulation 20(1) applies.

(**a**) Section 66B was inserted by S.I. 2011/996.

Prohibition notices

26.—(1) An examiner may prohibit a goods vehicle in the United Kingdom from being taken to a member State if it appears to the examiner that—

(a) the vehicle is being used on a journey between member States or within a member State,

(b) the condition in regulation 22(1)(a) has not been satisfied, and

(c) a breach of regulation 20(2) arises because the journey is to the member State or passes through it.

(2) A prohibition may apply—

(a) for a particular purpose or absolutely;

(b) for a particular period or indefinitely.

(3) A prohibition is imposed by giving a notice to the driver of the vehicle.

(4) The notice must specify—

(a) the member State to which the prohibition relates;

(b) the circumstances as a result of which the prohibition is imposed;

(c) the purpose for which the prohibition applies or that it applies absolutely;

(d) the period for which the prohibition applies or that it applies indefinitely.

(5) An examiner may remove a prohibition under this regulation by giving a notice to the driver or operator of the vehicle.

(6) A notice under this regulation takes effect when it is given.

(7) An examiner who gives a notice under this regulation to a driver of a vehicle must, as soon as practicable after the notice is given, take steps to bring the contents of the notice to the attention of the operator of the vehicle unless the driver is the operator.

Offences: breach of regulations etc.

27.—(1) The operator of a goods vehicle commits an offence if, without reasonable excuse—

(a) the operator uses the vehicle, whether in the United Kingdom or elsewhere, in breach of regulation 20(1) or (2), or

(b) the operator does not comply with the requirement in regulation 23(2).

(2) Any person who wilfully fails to comply with a direction given by an examiner in the exercise of the power conferred under regulation 24(2) is guilty of an offence.

(3) The driver of a goods vehicle commits an offence if, without reasonable excuse, the driver breaches a requirement under regulation 25(2)(b).

(4) A person commits an offence if the person wilfully obstructs an examiner in the exercise of powers under regulation 25.

(5) A person commits an offence if the person, without reasonable excuse—

(a) breaches a prohibition under regulation 26, or

(b) causes or permits a breach of a prohibition under that regulation.

(6) A person who commits an offence under paragraph (1) or (5) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(7) A person who commits an offence under paragraph (2), (3) or (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

PART 5

Miscellaneous provisions

Periodic review of regulatory provision

28.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in these Regulations, and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of five years beginning with the date on which these Regulations come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) A review carried out under this regulation must, so far as is reasonable, have regard to how the international obligations of the United Kingdom implemented in these Regulations are implemented in other countries which are subject to the obligations.

(5) A report published under this regulation must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),

(b) assess the extent to which those objectives are achieved,

(c) assess whether those objectives remain appropriate, and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way that involves less onerous regulatory provision.

(6) In this regulation, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015(**a**) (see section 32 of that Act).

Revocation of the International Road Transport Permits (EU Exit) Regulations 2018

29. The International Road Transport Permits (EU Exit) Regulations 2018(**b**) are revoked.

Amendment of the Drivers' Hours and Tachographs (Amendment) (EU Exit) (No. 2) Regulations 2019

30.—(1) The Drivers' Hours and Tachographs (Amendment) (EU Exit) (No. 2) Regulations 2019(**c**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1(4) (citation, commencement and extent) for "Parts 1 and 4 extend" substitute "Part 1 extends".

(3) Omit Part 4 (amendment of the International Road Transport Permits (EU Exit) Regulations 2018).

(**a**) 2015 c. 26. Section 30(3) was amended by section 19 of the Enterprise Act 2016 (c. 12) and paragraph 36 of Schedule 8 to the European Union (Withdrawal) Act 2018 (c. 16).
(**b**) S.I. 2018/1204.
(**c**) S.I. 2019/596.

Signed by authority of the Secretary of State for Transport

Guy Opperman
Parliamentary Under Secretary of State
Department for Transport

21st May 2024

SCHEDULE 1

Regulation 3

Listed countries (countries in relation to which there is an agreement)

1. Armenia

2. Austria

3. Azerbaijan

4. Belarus

5. Belgium

6. Bulgaria

7. Croatia

8. Czech Republic

9. Denmark

10. Estonia

11. Finland

12. France

13. Georgia

14. Germany

15. Greece

16. Hungary

17. Ireland

18. Italy

19. Kazakhstan

20. Kyrgyzstan

21. Latvia

22. Lithuania

23. Luxembourg

24. Malta

25. Morocco

26. Netherlands

27. Poland

28. Portugal

29. Romania

30. Russia

31. Slovakia

32. Slovenia

33. Spain

34. Sweden

35. Tajikistan

36. Tunisia

37. Turkey

38. Turkmenistan

39. Ukraine

40. Uzbekistan

SCHEDULE 2

Regulation 4(2)(b)

Descriptions of uses which do not require permits

PART 1

Preliminary provisions

Additional definitions for Schedule 2

1. In this Schedule—

"livestock vehicle" has the meaning given in paragraph 2;

"maximum laden weight" has the meaning given in Part 4 of Schedule 6 to the Road Traffic Regulation Act 1984(**a**);

"medical supplies" includes—

(a) medical appliances, equipment and products;

(b) medicines and medicaments;

"medium-weight vehicle" has the meaning given in paragraph 3;

"moving vehicle" means a goods vehicle—

(a) on a journey for the relocation of furniture or other moveable effects, and

(b) being operated by an operator who uses specialised equipment and personnel for carrying out relocations;

"non-commercial basis" has the meaning given in paragraph 4;

"own account" has the meaning given in paragraph 5;

"postal packet" means a letter, parcel, packet or other article transmissible by post;

"recovery vehicle" means a goods vehicle on a journey to remove, repair, replace, return or support a goods vehicle that has broken-down on a journey made in accordance with these Regulations.

Meaning of "livestock vehicle"

2.—(1) A "livestock vehicle" is a goods vehicle—

(a) being used for the transport of livestock, and

(b) in respect of which a certificate of approval of means of transport by road has been granted under Article 18 of EUR 2005/1.

(2) In this paragraph—

"EUR 2005/1" means—

(**a**) 1984 c. 27.

(a) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97(**a**), or

(b) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97(**b**) as it has effect under section 7A of the European Union (Withdrawal) Act 2018(**c**);

"livestock" includes the following domesticated animals—

(a) bovids, which includes buffalo, cattle, goats, sheep and yaks;

(b) camelids, which includes alpacas and llamas;

(c) cervids, which includes deer and elk;

(d) equids, which includes asses, hinnies, horses and mules;

(e) fowl, which includes chickens, ducks, geese, pheasants and turkeys;

(f) pigs.

Meaning of "medium-weight vehicle"

3.—(1) A "medium-weight vehicle" is a goods vehicle with either or both—

(a) a maximum laden weight not exceeding 6 tonnes;

(b) a maximum payload weight not exceeding 3.5 tonnes.

(2) In this paragraph—

"kerbside weight" means the mass of a goods vehicle when it carries nothing other than—

(a) a full supply of fuel in its fuel tank,

(b) an adequate supply of other liquids incidental to its propulsion, and

(c) any loose tools and equipment with which it is normally equipped;

"maximum payload weight" means, in relation to a goods vehicle, the difference in mass between the kerbside weight of the vehicle and the maximum laden weight of the vehicle.

Meaning of "non-commercial basis"

4. The operator of a goods vehicle uses it for the carriage of goods on a "non-commercial basis" if—

(a) the purpose of the carriage is not to directly or indirectly generate any profit, or

(b) the goods will be—

(i) exhausted in the destination country, or

(ii) used temporarily before being returned to the country of origin without alteration.

Meaning of "own account"

5. The operator of a goods vehicle uses it for the carriage of goods on "own account" if—

(a) the operator—

(i) owns the goods, or

(**a**) EUR 2005/1, amended by S.I. 2019/58 and 802, 2020/1590, 2022/846, 1090 and 1315 and 2023/287 and 261.
(**b**) OJ No. L 3, 5.1.2005, p. 1, amended by OJ No. L 95, 7.4.2017, p. 1.
(**c**) 2018 c. 16. Section 7A was inserted by section 5 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and gives legal effect to Council Regulation (EC) No 1/2005 in accordance with Article 5(4) of, and paragraph 40 of Annex 2 to, the Protocol on Ireland/Northern Ireland (which is part of the withdrawal agreement as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020).

(ii) has bought, extracted, hired, let out on hire, processed, produced, repaired or sold the goods,

(b) the vehicle is—

(i) hired, leased or owned by the operator, and

(ii) driven by the operator or a person under a relevant contract with the operator,

(c) the goods are carried—

(i) from or to the operator's premises, or

(ii) between other places for the operator's own requirements, and

(d) the carriage of the goods is no more than ancillary to the overall activities of the operator.

PART 2

Descriptions of uses pursuant to bilateral agreements

Armenia

6.—(1) The use of a goods vehicle by its operator on a journey to, in or through Armenia if—

(a) the vehicle is—

(i) a recovery vehicle, or

(ii) a vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2), and

(b) the journey is—

(i) to Armenia and the origin of the journey is the United Kingdom, or vice versa, or

(ii) through Armenia.

(2) The goods are—

(a) a broken-down or damaged goods vehicle or passenger vehicle;

(b) goods dispatched to a country—

(i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or

(ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from the country in which they are to be used temporarily to any other country;

(c) postal packets;

(d) the remains of a deceased individual;

(e) an abnormal indivisible load or dangerous goods if—

(i) the use is authorised pursuant to Article 7 of the UK-USSR Agreement, and

(ii) the driver is carrying that authorisation.

(3) The use of a goods vehicle by its operator on a journey to or in Armenia if—

(a) the journey is to Armenia and the origin of the journey is a country other than the United Kingdom, or vice versa,

(b) the use is authorised pursuant to Article 9(2) of the UK-USSR Agreement, and

(c) the driver is carrying that authorisation.

(4) In this paragraph—

"abnormal indivisible load" has the meaning given in paragraph 2 of Schedule 1 to the Road Vehicles (Authorisation of Special Types) (General) Order 2003(**a**);

"dangerous goods" means goods the carriage of which is within scope of the Agreement concerning the International Carriage of Dangerous Goods by Road done at Geneva on 30th September 1957(**b**);

"passenger vehicle" means a motor vehicle(**c**) designed for the transport of eight or more persons, not including the driver, with or without a trailer for carrying baggage;

"the UK-USSR Agreement" means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics concerning International Road Transport with Administrative Memorandum done at London on 22nd January 1988.

Azerbaijan

7.—(1) The use of a goods vehicle by its operator on a journey to, in or through Azerbaijan if the vehicle is any of the following—

(a) a livestock vehicle;

(b) a medium-weight vehicle;

(c) a recovery vehicle;

(d) a newly-acquired unladen vehicle being delivered to its final destination;

(e) any other vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2).

(2) The goods are—

(a) a broken-down or damaged goods vehicle;

(b) goods carried on a non-commercial basis for—

(i) a cinematographic, circus, musical or theatrical performance;

(ii) an exhibition or sports event;

(iii) a fair, fête or other event;

(iv) a film, radio or television production;

(c) goods carried from or to an airport in support of an air service that has been diverted;

(d) goods carried on own account;

(e) goods transported during resettlement;

(f) medical supplies, or goods for humanitarian aid, for use in the event of a natural disaster or other emergency;

(g) postal packets;

(h) the remains of a deceased individual;

(i) spare parts to repair an aircraft or ocean-going ship.

Belarus

8.—(1) The use of a goods vehicle by its operator on a journey to, in or through Belarus if the vehicle is any of the following—

(a) a medium-weight vehicle;

(b) a moving vehicle;

(**a**) S.I. 2003/1998.
(**b**) Treaty Series No. 83 (1968).
(**c**) Section 1(5) of the 2018 Act defines "motor vehicle" as "a mechanically-propelled vehicle which is intended or adapted for use on roads".

(c) any other vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2).

(2) The goods are—

(a) a broken-down or damaged vehicle;

(b) goods dispatched to a country—

(i) to be exhausted through use for a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a funfair or a sports event, or

(ii) to be used temporarily for a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a funfair or a sports event, before being removed from the country in which they are to be used temporarily to any other country;

(c) goods for humanitarian aid;

(d) postal packets;

(e) the remains of a deceased individual.

Georgia

9.—(1) The use of a goods vehicle by its operator on a journey to, in or through Georgia if the vehicle is on a journey for the carriage of only—

(a) one or more of the goods listed in sub-paragraph (2);

(b) goods carried on own account, but not if the origin or destination is a country other than the United Kingdom or Georgia.

(2) The goods are—

(a) a broken-down or damaged vehicle;

(b) goods for—

(i) a cinematographic, circus, musical or theatrical performance;

(ii) an exhibition, fair or sports event;

(iii) a film, radio or television production;

(c) medical supplies for use in the event of a natural disaster or other emergency;

(d) an object or artwork for exhibition;

(e) postal packets;

(f) samples of objects and materials the carriage of which is—

(i) occasional, and

(ii) exclusively for information or publicity purposes.

Kazakhstan

10.—(1) The use of a goods vehicle by its operator on a journey to, in or through Kazakhstan if the vehicle is—

(a) a medium-weight vehicle,

(b) an unladen vehicle on delivery from its place of manufacture in the United Kingdom to a business in Kazakhstan, or

(c) any other vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2).

(2) The goods are—

(a) a broken-down or damaged vehicle;

(b) goods dispatched to a country—

(i) to be exhausted through use for educational or publicity purposes, a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a fair or a religious or sports event, or

(ii) to be used temporarily for educational or publicity purposes, a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a fair or a religious or sports event before being removed from the country in which they are to be used temporarily to any other country;

(c) goods for humanitarian aid;

(d) medical supplies for use in the event of a natural disaster or other emergency;

(e) postal packets;

(f) the remains of a deceased individual.

Kyrgyzstan

11. Paragraph 6 (Armenia) applies in relation to the use of a goods vehicle on a journey to, in or through Kyrgyzstan as if its references to Armenia were references to Kyrgyzstan.

Morocco

12.—(1) The use of a goods vehicle by its operator on a journey to, in or through Morocco if—

(a) the vehicle is—

(i) a livestock vehicle, or

(ii) any other vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2), and

(b) the journey is—

(i) to Morocco and the origin of the journey is the United Kingdom, or vice versa, or

(ii) through Morocco.

(2) The goods are—

(a) an animal;

(b) goods carried from or to an airport in support of an air service that has been diverted;

(c) medical supplies for use in the event of a natural disaster or other emergency.

(3) The use of a goods vehicle by its operator on a journey to or in Morocco if—

(a) the journey is to Morocco and the origin of the journey is a country other than the United Kingdom, or vice versa,

(b) the use is authorised pursuant to Article 7 of the UK-Morocco Agreement, and

(c) the driver is carrying that authorisation.

(4) In this paragraph "the UK-Morocco Agreement" means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Morocco on the International Carriage of Goods by Road with Administrative Memorandum done at Marrakesh on 15th April 1994.

Russia

13. Paragraph 6 (Armenia) applies in relation to the use of a goods vehicle on a journey to, in or through Russia as if its references to Armenia were references to Russia.

Tajikistan

14. Paragraph 6 (Armenia) applies in relation to the use of a goods vehicle on a journey to, in or through Tajikistan as if its references to Armenia were references to Tajikistan.

Tunisia

15.—(1) The use of a goods vehicle by its operator on a journey to, in or through Tunisia if—

(a) the vehicle is any of the following—

(i) a medium-weight vehicle;

(ii) a moving vehicle;

(iii) a recovery vehicle;

(iv) any other vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2), and

(b) the journey is—

(i) to Tunisia and the origin of the journey is the United Kingdom, or vice versa, or

(ii) through Tunisia.

(2) The goods are—

(a) an antique or artwork;

(b) bees for release into a hive or other environment;

(c) a broken-down or damaged vehicle;

(d) fish for release into a lake, ocean, river or other body of water;

(e) goods for—

(i) a cinematographic, circus, musical or theatrical performance;

(ii) an exhibition, fair or sports event;

(iii) a film, radio or television production;

(f) goods carried from or to an airport in support of an air service that has been diverted;

(g) luggage from or to an airport;

(h) medical supplies for use in the event of a natural disaster or other emergency;

(i) postal packets;

(j) the remains of—

(i) an animal for disposal other than by human consumption;

(ii) a deceased individual;

(k) spare parts for an ocean-going ship.

(3) The use of a goods vehicle by its operator on a journey to or in Tunisia if—

(a) the journey is to Tunisia and the origin of the journey is a country other than the United Kingdom, or vice versa,

(b) the use is authorised pursuant to Article 1(2) of the UK-Tunisia Agreement, and

(c) the driver is carrying that authorisation.

(4) In this paragraph "the UK-Tunisia agreement" means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Tunisian Republic on the International Carriage of Goods by Road done at London on 10th March 1982.

Turkey

16. The use of a goods vehicle by its operator on a journey—

(a) to or in Turkey if the origin or destination of the journey is the United Kingdom, or

(b) through Turkey.

Turkmenistan

17. Paragraph 6 (Armenia) applies in relation to the use of a goods vehicle on a journey to, in or through Turkmenistan as if its references to Armenia were references to Turkmenistan.

Ukraine

18.—(1) The use of a goods vehicle by its operator on a journey to, in or through Ukraine if the vehicle is mentioned in sub-paragraph (2).

(2) The vehicles are—

(a) a medium-weight vehicle;

(b) a Euro V standards-compliant vehicle;

(c) a Euro VI standards-compliant vehicle;

(d) a zero-emission vehicle;

(e) any other vehicle on a journey for the carriage of only—

(i) one or more of the goods listed in sub-paragraph (3);

(ii) goods on own account, but not if the origin or destination is a country other than the United Kingdom or Ukraine.

(3) The goods are—

(a) an artwork or art object for use in an exhibition or for a commercial purpose;

(b) a broken-down or damaged vehicle;

(c) goods for—

(i) a cinematographic, circus, musical or theatrical performance;

(ii) an exhibition, fair or sports event;

(iii) a film, radio or television production;

(d) medical supplies for use in the event of a natural disaster or other emergency;

(e) postal packets;

(f) samples of objects and materials the carriage of which is—

(i) occasional, and

(ii) exclusively for information or publicity purposes.

(4) In this paragraph—

"Euro V standards-compliant vehicle" means a vehicle where the engine satisfies the emissions limit values set out in row B2 and row C of each of the tables in Section 6.2.1 of Annex 1 to Directive 2005/55/EC of the European Parliament and Council of 28 September 2005(**a**), as that law had effect on 30th December 2013;

"Euro VI standards-compliant vehicle" means a vehicle where the engine satisfies the emissions limit values set out in Annex 1 to Regulation 595/2009 of the European Parliament and Council of 18 June 2009(**b**), as that law had effect immediately before IP completion day;

(**a**) OJ No. L 275, 20.10.2005, p. 1, amended by OJ No. L 313, 29.11.2005, p. 1, OJ No. L 152, 7.6.2006, p. 11 and OJ No. L 192, 19.7.2008, p. 51. The full title of the Directive is Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. The Directive was repealed with effect from 31 December 2013 by Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009.

(**b**) OJ No. L 188, 18.7.2009, p. 1, amended by OJ No. L167, 25.6.2011, p. 1, OJ No. L 47, 18.2.2014, p. 1, OJ No. L 151, 14.6.2018, p. 1 and OJ No. 198, 15.7.2019, p. 202. The full title of the Regulation is Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC.

"zero-emission vehicle" means a goods vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1g CO_2/kWh as determined in accordance with Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 and its implementing measures(**a**), as that law had effect immediately before IP completion day, or that emits less than 1g CO_2/km as determined in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007(**b**) and its implementing measures(**c**), as that law had effect immediately before IP completion day.

Uzbekistan

19. Paragraph 6 (Armenia) applies in relation to the use of a goods vehicle on a journey to, in or through Uzbekistan as if its references to Armenia were references to Uzbekistan.

PART 3

Descriptions of uses pursuant to multilateral agreements

ECMT countries

20.—(1) Subject to sub-paragraph (3), the use of a goods vehicle by its operator on a journey to, in, or through an ECMT country if—

(a) the origin of the journey is the United Kingdom or any ECMT country,

(b) the destination of the journey is the United Kingdom or any ECMT country, and

(c) the vehicle is any of the following—

(i) a livestock vehicle;

(ii) a recovery vehicle;

(iii) a newly-acquired unladen vehicle being delivered to its final destination;

(iv) a vehicle with a maximum laden weight not exceeding 3.5 tonnes;

(v) a vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2).

(2) The goods are—

(a) a broken-down or damaged vehicle;

(b) goods carried on a non-commercial basis for—

(i) a cinematographic, circus, musical or theatrical performance;

(ii) an exhibition, but only if an artwork or art object for the exhibition;

(iii) a fair, fête or sports event;

(iv) a film, radio or television production;

(c) goods carried from or to an airport in support of an air service that has been diverted;

(d) goods carried on own account;

(e) medical supplies for use in the event of a natural disaster, emergency or other humanitarian need;

(f) postal packets;

(**a**) EUR 2011/582; EUR 2017/2400.

(**b**) OJ No. L 171, 29.6.2007, p. 1, amended by OJ No. L 199, 28.7.2008, p. 1, OJ No. L 188, 18.7.2009, p. 1, OJ No. L 158, 16.6.2011, p. 1, OJ No. L 142, 1.6.2012, p. 16, OJ No. L 151, 14.6.2018, p. 1. The full title of the Regulation is Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information.

(**c**) EUR 2017/1151.

(g) provisions, and spare parts, for an aircraft or ocean-going ship;

(h) the remains of a deceased individual.

(3) This paragraph does not exempt the use of a goods vehicle on a journey to, in or through—

(a) Austria, Bulgaria, Czech Republic, Estonia, France, Germany, Hungary, Italy, Poland or Russia under sub-paragraph (1)(c)(i);

(b) Finland under sub-paragraph (1)(c)(iii);

(c) Italy under sub-paragraph (1)(c)(iv);

(d) Germany or Russia under sub-paragraph (1)(c)(v) where the goods are described in sub-paragraph (2)(c);

(e) Austria, Belarus, Bulgaria, Czech Republic, Estonia, Finland, France, Hungary, Italy, Lithuania, Poland, Russia, Sweden or Turkey under sub-paragraph (1)(c)(v) where the goods are described in sub-paragraph (2)(d);

(f) Austria or Italy under sub-paragraph (1)(c)(v) where the goods are described in sub-paragraph (2)(f);

(g) Czech Republic, Germany or Russia under sub-paragraph (1)(c)(v) where the goods are described in sub-paragraph (2)(g).

EU member States

21.—(1) The use of a goods vehicle on a journey to, in or through a member State other than—

(a) a journey from a member State to any other country, other than the United Kingdom or another member State, which is a party to the ECMT agreements, or vice versa;

(b) a journey through a member State to and from any other country, other than the United Kingdom or another member State, which is a party to the ECMT agreements;

(c) a journey between member States that would cause the operator to not comply with the limit on journeys set out in regulation 21.

(2) In this paragraph—

"between member States" has the meaning given in regulation 19;

"member State" does not include Cyprus(**a**).

SCHEDULE 3

Regulation 7

Fees

PART 1

Application fees

Type of permit	*Application fee*
ECMT annual permit	£10
ECMT short-term permit	£10
multiple-use permit	£5
single-use permit	£2

(**a**) Cyprus is excluded as it is not party to an international agreement under which permits may be issued.

PART 2

Grant fees

Type of permit	*Grant fee*
ECMT annual permit	
— with a duration of at least nine months	— £123
— with a duration of at least six months, but less than nine months	— £93
— with a duration of more than three months, but less than six months	— £62
— with a duration of three months or less	— £31
ECMT international removal permit	£18
ECMT short-term permit	£10
multiple-use permit	£45
single-use permit	£6

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations regulate the use of goods vehicles on journeys to, in or through the countries and territories in relation to which the United Kingdom has a relevant international agreement (within the meaning given by section 1(4) of the Haulage Permits and Trailer Registration Act 2018 (c. 19) ("the 2018 Act")) relating to the transport of goods by road, and the movement of goods between two points in the EU.

These Regulations revoke and replace the International Road Transport Permits (EU Exit) Regulations 2018 (S.I. 2018/1204).

Regulation 3 defines or otherwise explains expressions used in the Regulations (some of which are also used below).

Part 2 makes provision in relation to permits. In summary:

— regulation 4 prohibits the operator of a goods vehicle from using it without a permit on a journey for the carriage of goods to, in or through the countries in relation to which the United Kingdom has a relevant international agreement and makes provision for when the prohibition does not apply;

— regulation 5 sets out the types of permits available to an operator to authorise the use of a goods vehicle on a journey otherwise prohibited under regulation 4;

— regulation 6 provides that the number of permits available for a country is to be determined in accordance with the agreement relating to that country;

— regulation 7 authorises the Secretary of State to charge fees for permits;

— regulations 8 and 9 set out the procedure for permit applications;

— regulation 10 sets out how the Secretary of State decides whether to grant a permit;

— regulation 11 authorises the Secretary of State to grant a permit subject to conditions;

— regulation 12 provides for the duration of permits;

— regulation 13 requires that where there is a decision not to grant a permit reasons must be given to the applicant;

— regulation 14 authorises the Secretary of State to grant a temporary exemption from the prohibition imposed by regulation 4 for the purpose of enabling an emergency or some other special need to be dealt with.

Part 3 includes enforcement provisions additional to those set out in sections 6, 7 and 8 of the 2018 Act. In summary:

— regulation 15 authorises the Secretary of State to direct an operator to remedy a breach of a condition attached to a permit;

— regulation 16 authorises the Secretary of State to cancel an operator's permit in certain circumstances;

— regulations 17 and 18 provide for an operator to appeal the cancellation of a permit.

Part 4 prohibits the operator of a goods vehicle from using it on a commercial journey for the carriage of goods between member States or within a member State unless certain requirements are met and makes provision for enforcement equivalent to those in sections 6, 7 and 8 of the 2018 Act. In summary:

— regulation 19 defines or otherwise explains expressions used in Part 4;

— regulation 20 prohibits the use of a goods vehicle in certain circumstances unless the use is authorised by an ECMT permit or the operator complies with the limit on journeys in regulation 21 and (in more limited circumstances) the requirements in regulation 22;

— regulation 21 sets out the limit on journeys for the purpose of regulation 20(1);

— regulation 22 sets out that the requirements for the purposes of regulation 20(2) are that the operator must make a posting declaration at or before the time the journey commences and the driver must carry a copy of the posting declaration during the journey;

— regulation 23 imposes a requirement on the operator of certain vehicles in certain circumstances to comply with posting enquiries made by a member State to, in or through which the vehicle is used;

— regulation 24 provides stopping officers and Northern Ireland examiners with the power to stop a goods vehicle for the purposes of checking whether the driver is carrying a copy of a posting declaration;

— regulation 25 makes provision in certain circumstances for an examiner to require a driver to produce a copy of a posting declaration and to inspect the vehicle, and to detain the vehicle for these purposes;

— regulation 26 enables an examiner to prohibit a goods vehicle in the United Kingdom from being taken to a member State if it appears that the vehicle is being used on a journey between two places in the EU and a posting declaration has not been made;

— regulation 27 provides for offences where relevant provisions in the Regulations are not complied with and where a person obstructs an examiner exercising powers conferred by this Part.

Part 5 contains miscellaneous provisions:

— regulation 28 requires the Secretary of State to review the regulatory provision in these Regulations at least once every five years;

— regulation 30 makes incidental or consequential amendments to the Drivers' Hours and Tachographs (Amendment) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/596).

Information on locating the text of the relevant international agreements to which these Regulations relate may be found online at www.gov.uk/guidance/uk-treaties. Hard copies can be obtained on request from the International Road Haulage Permit Office: email irhp@dvsa.gov.uk or telephone 020 8158 0250. The agreements relevant to each listed country are set out in the table below.

(A) *Listed country*	*(B)* *Relevant agreement(s)*
Armenia	Agreement between the Government of the United Kingdom of Great Britain and Northern

	Ireland and the Government of the Union of Soviet Socialist Republics concerning International Road Transport with Administrative Memorandum done at London on 22nd January 1988(**a**) ("the UK-USSR Agreement")
	The ECMT agreements
Austria	Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the European Union and the European Atomic Energy Community, of the other part, done at Brussels and London on 30th December 2020(**b**) ("the Trade and Cooperation Agreement")
	The ECMT agreements
Azerbaijan	Agreement between the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Azerbaijan on International Road Transport done at Baku on 23rd February 2023(**c**)
	The ECMT agreements
Belarus	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Belarus concerning International Motor Vehicle Carriage done at Minsk on 18th March 2019(**d**)
	The ECMT agreements
Belgium	The Trade and Cooperation Agreement
	The ECMT agreements
Bulgaria	The Trade and Cooperation Agreement
	The ECMT agreements
Croatia	The Trade and Cooperation Agreement
	The ECMT agreements
Czech Republic	The Trade and Cooperation Agreement
	The ECMT agreements
Denmark	The Trade and Cooperation Agreement
	The ECMT agreements
Estonia	The Trade and Cooperation Agreement
	The ECMT agreements
Finland	The Trade and Cooperation Agreement
	The ECMT agreements
France	The Trade and Cooperation Agreement
	The ECMT agreements
Georgia	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Georgia on International Road Transport done at London on 13th November 1997(**e**)
	The ECMT agreements

(**a**) Treaty Series No. 4 (1989).
(**b**) Treaty Series No. 8 (2021).
(**c**) Azerbaijan No. 1 (2023).
(**d**) Belarus No. 1 (2019).
(**e**) Georgia No. 1 (1998).

Germany	The Trade and Cooperation Agreement The ECMT agreements
Greece	The Trade and Cooperation Agreement The ECMT agreements
Hungary	The Trade and Cooperation Agreement The ECMT agreements
Ireland	The Trade and Cooperation Agreement The ECMT agreements
Italy	The Trade and Cooperation Agreement The ECMT agreements
Kazakhstan	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kazakhstan on International Road Transport done at London on 22nd November 2006(**a**)
Kyrgyzstan	The UK-USSR Agreement
Latvia	The Trade and Cooperation Agreement The ECMT agreements
Lithuania	The Trade and Cooperation Agreement The ECMT agreements
Luxembourg	The Trade and Cooperation Agreement The ECMT agreements
Malta	The Trade and Cooperation Agreement The ECMT agreements
Morocco	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Morocco on the International Carriage of Goods by Road with Administrative Memorandum done at Marrakesh on 15th April 1994(**b**)
Netherlands	The Trade and Cooperation Agreement The ECMT agreements
Poland	The Trade and Cooperation Agreement The ECMT agreements
Portugal	The Trade and Cooperation Agreement The ECMT agreements
Romania	The Trade and Cooperation Agreement The ECMT agreements
Russia	The UK-USSR Agreement The ECMT agreements
Slovakia	The Trade and Cooperation Agreement The ECMT agreements
Slovenia	The Trade and Cooperation Agreement The ECMT agreements
Spain	The Trade and Cooperation Agreement The ECMT agreements
Sweden	The Trade and Cooperation Agreement The ECMT agreements
Tajikistan	The UK-USSR Agreement
Tunisia	Agreement between the Government of the

(**a**) Kazakhstan No. 1 (2019).
(**b**) Treaty Series No. 90 (2000).

	United Kingdom of Great Britain and Northern Ireland and the Government of the Tunisian Republic on the International Carriage of Goods by Road done at London on 10th March 1982(**a**)
Turkey	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Turkey concerning International Road Transport done at Ankara on 9th September 1977(**b**)
	The ECMT agreements
Turkmenistan	The UK-USSR Agreement
Ukraine	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ukraine on International Road Transport done at London on 13th December 1995(**c**)
	The ECMT agreements
Uzbekistan	The UK-USSR Agreement

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum is published alongside this instrument at www.legislation.gov.uk.

© Crown copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

(**a**) Treaty Series No. 25 (1989).
(**b**) Treaty Series No. 72 (1978), amended by Turkey No. 1 (2010).
(**c**) Treaty Series No. 121 (2000), amended by Ukraine No. 1 (2019).