1987 No. 187

ROAD AND RAILWAY TRANSPORT

Road Transport (Great Britain Passenger Services) Regulations (Northern Ireland) 1987

Made	*9th April 1987*
Coming into operation . .	*1st June 1987*

The Department of the Environment, in exercise of the powers conferred by section 45(*i*) and (*j*) of the Transport Act (Northern Ireland) 1967(**a**), and now vested in it(**b**), and Article 66(2) of the Road Traffic (Northern Ireland) Order 1981(**c**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Road Transport (Great Britain Passenger Services) Regulations (Northern Ireland) 1987 and shall come into operation on 1st June 1987.

Interpretation

2. In these Regulations—

"the Act of 1967" means the Transport Act (Northern Ireland) 1967;

"Council Regulation No. 117/66" means Regulation 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(**d**);

"occasional services" means services as defined in Article 3 of Council Regulation No. 117/66 (services not falling within either regular services or shuttle services, including closed-door tours, services which make the outward journey carrying passengers and return journey unladen and all other services);

"the Order of 1981" means the Road Traffic (Northern Ireland) Order 1981;

"regular services" means services as defined in Article 1 of Council Regulation No. 117/66 (services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at pre-determined stopping points);

"shuttle services" means services as defined in Article 2 of Council Regulation No. 117/66 (services whereby, by means of repeated

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(**a**) 1967 c. 37 (N.I.) as amended by S.I. 1984/1986 (N.I. 15) Art. 10(2)
(**b**) *See* S.R. & O. (N.I.) 1973 No. 504 Art. 4
(**c**) S.I. 1981/154 (N.I. 1) as amended by S.I. 1981/1117 (N.I. 24) Art. 3
(**d**) O.J. No. L147, 9.8.1966, p. 2688

outward and return journeys, previously formed groups of passengers are carried from a single place of departure to a single destination and each group of passengers who make the outward journey together are subsequently carried back to the place of departure);

"special regular services" means services deemed to be regular services under paragraph 3 of Article 1 of Council Regulation No. 117/66.

Application

3. These Regulations apply to public service vehicles authorised under the law of Great Britain to carry passengers and their luggage by road for reward and used for such purposes on services between Great Britain and Northern Ireland.

Exemptions for regular, special regular and shuttle services from certain provisions of the Order of 1981

4. Articles 59, 60 and 70 of the Order of 1981 shall not apply to vehicles used to provide a regular, special regular or shuttle service.

Application of Parts II and IV of the Act of 1967 to regular, special regular and shuttle services

5.—(1) Parts II and IV of the Act of 1967 shall apply to a vehicle to which these Regulations apply used to provide a regular, special regular or a shuttle service as if for those Parts that were substituted the provisions of paragraphs (2) to (7).

(2) A person shall not use or cause or permit to be used on a road a vehicle to carry passengers and their luggage unless there is in force and is carried on the vehicle a Northern Ireland (Great Britain passenger transport service) authorisation.

(3) The authorisation shall specify the occasion or period when or during which a vehicle may be so used.

(4) As inspector appointed under section 37 of the Act of 1967 on production if so required of his authority, or a member of the Royal Ulster Constabulary, may require the driver of any such vehicle to produce and to permit him to inspect and copy the authorisation and for that purpose may stop and detain the vehicle during such time as is required for the inspection and copying of the authorisation.

(5) A person who—

(*a*) contravenes paragraph (2); or

(*b*) contravenes a requirement specified in paragraph (4) or wilfully obstructs an inspector or member of the Royal Ulster Constabulary in exercise of his powers under that paragraph,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £400.

(6) An application for an authorisation shall be made on a form supplied by and contain all relevant particulars as may be specified by the Department.

(7) In this regulation—

"Northern Ireland (Great Britain passenger transport service) authorisation" means an authorisation issued by the Department for the use

of a vehicle to which it relates for the carriage of passengers by road for reward in Northern Ireland.

Exemptions for occasional services

6. Articles 59, 60 and 70 of the Order of 1981 and Parts II and IV of the Act of 1967 shall not apply to a vehicle used to provide occasional services.

Sealed with the Official Seal of the Department of the Environment on 9th April 1987.

(L.S.) *Trevor Pearson*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These Regulations exempt vehicles authorised under the law of Great Britain for the carriage of passengers for reward in Great Britain, when used in Northern Ireland for the carriage of passengers on certain services between Great Britain and Northern Ireland, from the requirements of Articles 59, 60 and 70 of the Road Traffic (Northern Ireland) Order 1981 (which require public service vehicles, and their drivers and conductors to be licensed) and Parts II and IV of the Transport Act (Northern Ireland) 1967 (which require and make provision for road service licences for the carriage of passengers for reward).

2. Vehicles used in Northern Ireland on regular, special regular and shuttle services as defined in Articles 1 and 2 of Regulation No. 117/66/EEC must carry an authorisation issued by the Department of the Environment and an inspector appointed under said Act of 1967 or a member of the Royal Ulster Constabulary may stop a vehicle to inspect and copy the authorisation.

3. Any person who—

(1) contravenes the requirement to have and to carry the authorisation on a vehicle shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £400.

(2) wilfully obstructs an inspector or member of the Royal Ulster Constabulary shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £400.

(3) contravenes the requirement to produce the authorisation for inspecting and copying shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £400.

4. Copies of Council Regulation No. 117/66 may be obtained from Her Majesty's Stationery Office by quoting the Official Journal reference number.