STATUTORY INSTRUMENTS

1980 No. 1459

ROAD TRAFFIC

The Road Transport (International Passenger Services) Regulations 1980

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The Minister of Transport, being a Minister 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 and section 160(1) of the Road Traffic Act 1960(c), and now vested in him(d), and, with the consent of the Treasury, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(e), and now vested in him(f), and of all other enabling powers, and (in respect of the Regulations in so far as made under section 160(1)), after consultation with representative organisations in accordance with the provisions of section 260(2) of the said Act of 1960, hereby makes the following Regulations:—

PART I—GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Road Transport (International Passenger Services) Regulations 1980 and shall come into operation on 3rd November 1980.

(2) The Road Transport (International Passenger Services) Regulations 1973(g) and the Road Transport (International Passenger Services) (Amendment) Regulations 1979(h) are hereby revoked.

(a) S.I. 1972/1811 and 1979/571. (b) 1972 c. 68.
(c) 1960 c. 16; section 160(1) was amended by the European Communities Act 1972 (c. 68), section 4 and Schedule 4, paragraph 10, and section 160(1) were amended by the Transport Act 1980 (c. 34), section 43 and Schedule 5, paragraph 11, in Part 1.
(d) S.I. 1970/1681 and 1979/571. (e) 1973 c. 51. (f) S.I. 1979/571.
(g) S.I. 1973/806. (h) S.I. 1979/654.

Interpretation

2.—(1) In these Regulations—

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

Council Regulation No. 117/66
Council Regulation No. 516/72
Council Regulation No. 517/72 and
Commission Regulation No. 1016/68

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*) "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;

(*c*) "member State" means a state which is a member of the European Economic Community;

(*d*) "the Minister" means the Minister of Transport;

(*e*) "examiner" has the same meaning as in section 7(1) of the Road Traffic (Foreign Vehicles) Act 1972**(a)**;

(*f*) "public service vehicle" shall be construed in accordance with section 2 of the Act of 1980;

(*g*) "the Act of 1960" means the Road Traffic Act 1960;

(*h*) "the Act of 1980" means the Transport Act 1980**(b)**.

(2) Any reference in these Regulations to a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations.

Extent

3. These Regulations do not extend to Northern Ireland.

PART II—MODIFICATIONS OF PART III OF THE ACT OF 1960 AND PART I OF THE ACT OF 1980 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 the United Kingdom

4.—(1) This Regulation applies to a vehicle registered in the United Kingdom which is being used for Community regulated carriage of passengers in so far 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

(a) 1972 c. 27. **(b)** 1980 c. 34.

(*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) The provisions of Part III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if—

(*a*) in relation to a vehicle to which this Regulation applies registered in Great Britain, section 4 of the Act of 1980 (which requires stage carriage services to be provided under a road service licence) were omitted; and

(*b*) in relation to a vehicle to which this Regulation applies registered in Northern Ireland, sections 127 (which requires users of public service vehicles to hold public service vehicle licences) and 144 (which requires drivers of public service vehicles to be licensed) of the Act of 1960 and section 4 of the Act of 1980 were omitted.

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

5.—(1) This Regulation applies to a public service vehicle registered in the United Kingdom which is being used for the international carriage of passengers by road which is not Community regulated but where the vehicle 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 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 III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if—

(*a*) in relation to a vehicle to which this Regulation applies registered in Northern Ireland, sections 127 and 144 of the Act of 1960 were omitted; and

(*b*) in relation to a vehicle to which this Regulation applies registered in Great Britain or in Northern Ireland, for section 4 of the Act of 1980 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) A certifying officer or a public service vehicle examiner 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 subsection (1) above, 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*) without reasonable excuse contravenes subsection (1) of this section, or

(*b*) without reasonable excuse fails to comply with a requirement of a certifying officer or public service vehicle examiner, or wilfully obstructs such officer or examiner, in the exercise of his powers under subsection (2) of this section,

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 Minister 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)

6.—(1) This Regulation applies to a vehicle registered in the United Kingdom which is being used for the international carriage of passengers by road—

(*a*) in so far as the vehicle is used to provide a service for the carriage of passengers which is Community regulated and is 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 the said Article 3 (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 the said Article 3 (that is to say, an occasional service, as mentioned in that paragraph, of any other description); or

(*b*) in so far as the vehicle is used as a public service vehicle 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 those paragraphs.

(2) The provisions of Part III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if—

(*a*) in relation to a vehicle to which this Regulation applies registered in Northern Ireland, sections 127 and 144 of the Act of 1960 were omitted; and

(*b*) in relation to a vehicle to which this Regulation applies registered in Great Britain or in Northern Ireland, for section 4 of the Act of 1980 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 Commission Regulation No. 1016/68, 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) A certifying officer or a public service vehicle examiner 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, Commission Regulation No. 1016/68.

(3) A certifying officer or a public service vehicle examiner may, on production if so required of this 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 Commission Regulation No. 1016/68 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*) without reasonable excuse contravenes subsection (1) above, or

(*b*) without reasonable excuse fails to comply with a requirement of an officer or examiner, or wilfully obstructs an officer or examiner in the exercise of his powers, under subsection (2) or (3) above

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 "Commission Regulation No. 1016/68" 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 III OF THE ACT OF 1960 AND PART I OF THE ACT OF 1980 IN RELATION TO PUBLIC SERVICE VEHICLES REGISTERED OUTSIDE THE UNITED KINGDOM

Small vehicles registered outside the United Kingdom visiting Great Britain temporarily

7.—(1) This Regulation applies to a public service 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 Great Britain for the purpose of carrying passengers who are travelling to Great Britain from a place outside the United Kingdom, or who are travelling from the United Kingdom to any such place; and

(*c*) remains in Great Britain for a period not exceeding three months from the date of its entry therein.

(2) The provisions of Part III of the 1960 Act and Part I of the Act of 1980 shall, in relation to a vehicle to which this Regulation applies, have effect as if sections 127 and 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted.

Community regulated regular, shuttle and works 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 Community regulated carriage of passengers in so far 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 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 III of the Act of 1960 and Part I of the Act of 1980 shall, in relation to a vehicle to which this Regulation applies, have effect as if sections 127 and 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted.

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

9.—(1) This Regulation applies to a public service vehicle registered outside the United Kingdom which is being used for the international carriage of passengers which is not Community regulated in so far 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 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 III of the Act of 1960 and Part I of the Act of 1980 shall, in relation to a vehicle to which this Regulation applies, have effect as if section 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted, and as if for section 127 of the Act of 1960 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

10.—(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*) in so far 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 the said Article 3 (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 the said Article 3 (that is to say, an occasional service, as mentioned in that paragraph of any other description); and

(*b*) in so far as, in relation to the use of the vehicle—

(i) the requirements of Articles 3 and 4 of Commission Regulation No. 1016/68, 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 III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if section 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted and—

(*a*) in so far 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 the said Article 3 where all the conditions specified in the proviso to Article 5(2) of the said Council Regulation are fulfilled, as if section 127 of the Act of 1960 were omitted; and

(*b*) in so far as the vehicle is used as a public service vehicle 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 127 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

11.—(1) This Regulation applies to a public service vehicle—

(*a*) which is registered in Austria, Finland, Greece, Norway, Portugal, Spain, Sweden, Switzerland, Turkey or Yugoslavia;

(*b*) which is brought into Great Britain for the purpose of carrying passengers who are making only a temporary stay therein or are in transit; and

(*c*) which remains in Great Britain for a period not exceeding three months from the date of its entry therein,

in so far 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*) above and ends at a place situated in the same or another such country or in Great Britain, 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 III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if section 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted and as if—

(*a*) in so far as the vehicle is used to provide a service for the carriage of passengers such as is mentioned in paragraph 1(*a*) and 1(*b*) of Article 3 of Council Regulation No. 117/66, for section 127 of the Act of 1960 there were substituted the following section:—

"**127.** 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, 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 Road Transport (International Passenger Services) Regulations 1980 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 said Article 3, for section 127 of the Act of 1960 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

12.—(1) This Regulation applies to a public service vehicle—

(*a*) which is registered in a country not being a member State or a country mentioned in Regulation 11(1)(*a*);

(*b*) which is brought into Great Britain 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 Northern Ireland; and

(*c*) which remains in Great Britain for a period not exceeding three months from the date of its entry therein,

in so far as the vehicle is used as mentioned in sub-paragraphs (i) and (ii) of Regulation 11(1).

(2) The provisions of Part III of the Act of 1960 and Part I of the Act of 1980 shall, in relation to a vehicle to which this Regulation applies, have effect as if section 144 of the Act of 1960 and sections 4 and 17 of the Act of 1980 were omitted and as if for section 127 of the Act of 1960 there were substituted the section 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

13. The Minister shall be the competent authority of the United Kingdom for all purposes of the Council Regulations and the Commission Regulation, in relation to the international carriage of passengers to, from or through Great Britain.

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

14.—(1) An application for, or for the variation of the conditions of, a regular service authorisation or a special regular service authorisation or for a shuttle authorisation shall be made to the Minister 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 1980 as modified by these Regulations, for the use of a vehicle for the international carriage of passengers by road shall be made to the Minister.

(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 section 4 of the Act of 1980, as modified by Regulation 5, shall pay, when the application is made, a fee of £10 in respect of the application.

(6) In this Regulation "regular service authorisation" and "special regular service authorisation" means such an authorisation under Council Regulation No. 517/72 and "shuttle service authorisation" means such an authorisation under Council Regulation No. 516/72.

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

15.—(1) The following provisions of this Regulation shall have effect with respect to the issue of a certificate (specified in Article 1 of Commission Regulation No. 1016/68 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 Commission Regulation No. 1016/68 being the document applicable in respect of the provision of a service such as is mentioned in Article 3 of Council Regulation No. 117/66.

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

(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 Minister so as to reach him 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 Commission Regulation No. 1016/68 is required

(a) O.J. No. L 134; 12.6.72, p. 527.

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

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

16.—(1) Paragraph (2) below shall have effect in relation to a vehicle where it appears to an examiner 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 Great Britain for the purpose of being used, in such circumstances as, by virtue of any of the provisions specified in paragraph (3) below, 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) above, an examiner requires, in pursuance of any of the provisions specified in paragraph (3) below, the driver of a vehicle to produce a document of a description referred to in that provision, the examiner 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 paragraph (3)(*c*) below) 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) above 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 respectively provide, *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 17.

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

17.—(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 Commission Regulation No. 1016/68, 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 examiner 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 examiner that a vehicle is being used in such circumstances as to require, by virtue of Article 3(2) of Council Regulation

No. 1016/68 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 examiner 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

18.—(1) If the Minister is at any time satisfied that a holder of a regular, special regular or shuttle service authorisation issued by him—

(*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,

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

(2) Where the Minister decides to withdraw an authorisation in exercise of his powers under Article 19 of Council Regulation No. 516/72 or Article 18 of Council Regulation No. 517/72 he 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 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 Minister.

(5) At any time that is reasonable having regard to the circumstances of the case, an examiner 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 it and deliver it to the Minister.

(6) Where it appears to an examiner that a document produced to him in pursuance of Regulation 16 is an authorisation which has been withdrawn in accordance with this Regulation he may seize it and deliver it to the Minister.

(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

19.—(1) A person is guilty of an offence under this Regulation if without reasonable excuse, he uses a vehicle for Community regulated carriage of passengers by road or causes or permits such 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 Commission Regulation No. 1016/68.

(2) A person shall be guilty of an offence under this Regulation if, without reasonable excuse, he uses a vehicle for Community regulated carriage by road, or causes or permits a vehicle to be so used, to provide a service for the carriage of passengers such as is mentioned in paragraph 1 of Article 3 of Council Regulation No. 117/66 when there is not duly and correctly completed for the vehicle a passenger waybill, or when the top copy of the passenger waybill is not kept on the vehicle throughout the journey to which it refers, as required by Articles 2 and 3 of Council Regulation No. 1016/68.

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

Penalty relating to documents required in respect of Community regulated services

20. A person who—

(*a*) without reasonable excuse contravenes, or fails to comply with a requirement imposed by or under regulation 15(4) or (5), 16(2)(*a*), 17(1) or (2), or 18(4) or (5); or by or under any provision of the Council Regulations or the Commission Regulation referred to in any of those provisions; or

(*b*) wilfully obstructs an examiner in the exercise of his powers under Regulation 16(2), 17(1) or (2), or 18(5) or (6), or under any provision of the Council Regulations or Commission Regulation referred to in any of those provisions

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

Forgery and false statements, etc.

21. In sections 233(1)(*a*) (forgery) and 235(1) (false statements) of the Act of 1960 the references to a licence under any Part of that 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, or by the Act of 1980 as modified 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.

Disapplication of requirements as to fitness, equipment and use of public service vehicles

22. None of the provisions of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1972**(a)** shall have effect in relation to a vehicle to which any provision of Part III of these Regulations applies or to a vehicle registered in Northern Ireland to which any provision of Part II of these Regulations applies.

Norman Fowler,
Minister of Transport.

23rd September 1980.

We consent to the making of these Regulations.

Carol Mather,
John MacGregor,
Two of the Lords Commissioners
of Her Majesty's Treasury.

29th September 1980.

(a) S.I. 1972/751, amended by S.I. 1976/726 and 1980/141.

SCHEDULE 1 (see Regulation 2)

THE COUNCIL REGULATIONS AND THE COMMISSION REGULATION

"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(a);

"Council Regulation No. 516/72" means Regulation (EEC) No. 516/72 of the Council of 28 February 1972 on the introduction of common rules for shuttle services by coach and bus between Member States(b);

"Council Regulation No. 517/72" means Regulation (EEC) No. 517/72 of the Council of 28 February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States(c);

"Commission Regulation No. 1016/68" 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 EEC(d).

SCHEDULE 2 (see Regulations 9, 10 and 11)

"**127.**—(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 Minister in pursuance of an international agreement or arrangement to which the United Kingdom is for the time being a party.".

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

SCHEDULE 3 (see Regulation 11(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 x 21 cm or 32 cm x 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 the 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

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations (which do not extend to Northern Ireland) revoke and replace the Road Transport (International Passenger Services) Regulations 1973 and the Road Transport (International Passenger Services) (Amendment) Regulations 1979. They supplement and enforce the Regulations of the Council and Commission of the European Communities referred to in Regulation 2(1) 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(1)).

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 requirement of section 4 of the Transport Act 1980 for a road service licence, in so far as applicable, and in the case of vehicles registered in Northern Ireland when used in Great Britain for the international carriage of passengers, from the requirements of sections 127 and 144 of the Road Traffic Act 1960 relating to the licensing of public service vehicles and their drivers. Regulation 22 in Part V exempts vehicles registered in Northern Ireland from the requirements of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1972 (S.I. 1972/751).

Part III of the Regulations provides for vehicles registered outside the United Kingdom. Regulation 7 exempts small vehicles visiting Great Britain temporarily from the requirements of sections 127 and 144 of the 1960 Act and section 4 of the 1980 Act ("the public service vehicle requirements").

The remaining regulations in Part III exempt such vehicles used to provide certain international passenger services from the public service vehicle requirements 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 Minister of Transport in pursuance of an international agreement or arrangement.

Part IV of the Regulations designates the Minister of Transport as the competent authority of the United Kingdom for the purposes of the Council Regulations and the Commission Regulation in relation to carriage to, from or through Great Britain (Regulation 13). Regulation 14 specifies the fees payable in respect of applications for, and the issue of, certain authorisations for services. Regulation 15 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 16 and 17 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 18 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 19 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 20 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 examiners (as defined in Regulation 2(1)) and the obstruction of examiners exercising powers under these Regulations or the Council or Commission Regulations.

Regulation 21 deals with forgery and false statements in relation to control documents.

Unlike the 1973 Regulations these Regulations do not make provision for vehicles registered in Northern Ireland when used in Great Britain on services running between Northern Ireland and Great Britain but not outside the United Kingdom. Provision for them is made in the Road Transport (Northern Ireland Passenger Services) Regulations (S.I. 1980/1460).

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