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**COUNCIL REGULATION (EEC) No 684/92
of 16 March 1992
on common rules for the international carriage of passengers by coach and bus**

(OJ L 74, 20.3.1992, p. 1)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Regulation (EC) No 11/98 of 11 December 1997	L 4	1	8.1.1998

Amended by:

► <u>A1</u> Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003
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COUNCIL REGULATION (EEC) No 684/92

of 16 March 1992

on common rules for the international carriage of passengers by coach and bus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, in accordance with Article 75 (1) (a) of the Treaty, the establishment of a common transport policy entails, *inter alia*, laying down common rules applicable to the international carriage of passengers by road;

Whereas such rules were laid down in Council Regulations No 117/66/EEC ⁽⁴⁾, (EEC) No 516/72 ⁽⁵⁾ and (EEC) No 517/72 ⁽⁶⁾ and whereas this Regulation does not call in question the liberalization achieved by those Regulations;

Whereas freedom to provide services constitutes a basic principle of the common transport policy and requires that carriers from all Member States be guaranteed access to international transport markets without discrimination on grounds of nationality or place of establishment;

Whereas there should be provision for flexible arrangements subject to certain conditions for shuttle services with accommodation, special regular service and certain occasional services, in order to satisfy market demand;

Whereas, while maintaining authorization arrangements for regular services and shuttle services without accommodation, certain rules should be amended, particularly as regards authorization procedures;

Whereas observance of the Treaty rules on competition must be guaranteed;

Whereas administrative formalities should be reduced as far as possible without the abandonment of the controls and penalties that guarantee the correct application of this Regulation;

Whereas it is for the Member States to adopt the measures necessary for the implementation of this Regulation;

Whereas the application of this Regulation should be monitored by means of a report to be submitted by the Commission and any future action in this area should be considered in the light of that report,

⁽¹⁾ OJ No C 120, 6. 5. 1987, p. 9,
OJ No C 301, 26. 11. 1988, p. 5 and
OJ No C 31, 7. 2. 1989, p. 9.

⁽²⁾ OJ No C 94, 11. 4. 1988, p. 126.

⁽³⁾ OJ No C 356, 31. 12. 1987, p. 62.

⁽⁴⁾ OJ No 147, 9. 8. 1966, p. 2688/66.

⁽⁵⁾ OJ No L 67, 20. 3. 1972, p. 13. Regulation last amended by Regulation (EEC) No 2778/78 (OJ No L 133, 30. 11. 1978, p. 4).

⁽⁶⁾ OJ No L 67, 20. 3. 1972, p. 19. Regulation last amended by Regulation (EEC) No 1301/78 (OJ No L 158, 16. 6. 1978, p. 1).

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HAS ADOPTED THIS REGULATION:

SECTION I

GENERAL PROVISIONS*Article 1***Scope**

1. This Regulation shall apply to the international carriage of passengers by coach and bus within the territory of the Community by carriers for hire or reward or own-account carriers established in a Member State in accordance with its law, using vehicles which are registered in that Member State and are suitable, by virtue of their construction and equipment, for carrying more than nine persons, including the driver, and are so intended, and to the movement of such vehicles empty in connection with such carriage.

Change of vehicle or interruption of carriage to enable part of a journey to be made by another means of transport shall not affect the application of this Regulation.

2. In the event of carriage from a Member State to a third country and vice-versa, this Regulation shall apply to the part of the journey on the territory of the Member State of picking up or setting down, after conclusion of the necessary agreement between the Community and the third country concerned.

3. Pending the conclusion of agreements between the Community and the third countries concerned, this Regulation shall not affect provisions relating to the carriage referred to in paragraph 2 contained in bilateral agreements concluded by Member States with those third countries. However, Member States shall endeavour to adapt those agreements to ensure compliance with the principle of non-discrimination between Community carriers.

*Article 2***Definitions**

For the purposes of this Regulation, the following definitions shall apply:

1. **Regular services**

1.1. Regular services are services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

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The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

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1.2. Services, by whomsoever organized, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, insofar as such services are operated under the conditions specified in 1.1., shall be deemed to be regular services. Such services are hereinafter called 'special regular services'.

Special regular services shall include:

- (a) the carriage of workers between home and work,
- (b) carriage to and from the educational institution for school pupils and students,
- (c) the carriage of soldiers and their families between their state of origin and the area of their barracks.

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The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

- 1.3. The organization of parallel of temporary services, serving the same public as existing regular services, ►M1 _____ ◀ the non-serving of certain stops and the serving of additional stops on existing regular services shall be governed by the same rules as existing regular services.

▼M1**▼B****3. Occasional services****▼M1**

- 3.1. Occasional services are services which do not meet the definition of regular services, including special regular services and which are characterized above all by the fact that they carry groups of passengers assembled on the initiative of the customer or the carrier himself.

The organization of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorization in accordance with the procedure laid down in Section II.

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- 3.3. The services referred to in point 3 shall not cease to be occasional services solely because they are provided at certain intervals.
- 3.4. Occasional services may be provided by a group of carriers acting on behalf of the same contractor, and travellers may catch a connection en route, with a different carrier of the same group, in the territory of one of the Member States.

The names of such carriers and the connection points en route shall be communicated to the competent authorities of the Member States concerned, in accordance with the procedures to be determined by the Commission ►M1 in accordance with the procedure laid down in Article 16a ◀.

▼M1**4. Own-account transport operations**

Own-account transport operations are those carried out for non-commercial and non-profit-making purposes by a natural or legal person, provided that:

- the transport activity is only an ancillary activity for that natural or legal person,
- the vehicles used are the property of that natural or legal person or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself.

▼B*Article 3***Freedom to provide services**

1. Any carrier for hire or reward referred to in Article 1 shall be permitted to carry out the transport services defined in Article 2 without discrimination as to nationality or place of establishment if he:

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- is authorized in the State of establishment to undertake carriage by means of regular services including special regular services or occasional services by coach and bus;

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- satisfies the conditions laid down in accordance with Community rules on admission to the occupation of road passenger transport operator in national and international transport operations;
 - meets legal requirements on road safety as far as the standards for drivers and vehicles are concerned.
2. Any own-account carrier referred to in Article 1 shall be permitted to carry out the transport services defined in Article 13 without discrimination as to nationality or place of establishment if he:
- is authorized in the State of establishment to undertake carriage by coach and bus in accordance with the market-access conditions laid down by national legislation;
 - meets legal requirements on road safety as far as the standards for drivers and vehicles are concerned.

▼M1*Article 3a***Community licence**

1. In order to carry out international passenger transport operations by coach and bus, any carrier meeting the criteria laid down in Article 3 (1) must hold as Community licence issued by the competent authorities of the Member State of establishment in accordance with the model set out in the Annex.
2. The competent authorities of the Member State of establishment shall issue the holder with the original of the Community licence, which shall be kept by the carrier, and the number of certified true copies corresponding to the number of vehicles used for the international carriage of passengers at the disposal of the holder of the Community licence, either in full ownership, or in another form, notably by virtue of an instalment-purchase contract, a hire contract or a leasing contract.
3. The Community licence shall be established in the name of the carrier and shall be non-transferable. A certified true copy of the Community licence shall be carried on the vehicle and shall be presented at the request of any authorized inspecting officer.
4. The Community licence shall be issued for a period of five years which shall be renewable.
5. The Community licence shall replace the document issued by the competent authorities of the Member State of establishment certifying that the carrier has access to the market for the international carriage of passengers by road.
6. When an application for a licence is submitted, and at least every five years thereafter, the competent authorities of the Member State of establishment shall verify whether the carrier meets or continues to meet the conditions laid down in Article 3 (1).
7. Where the conditions referred to in Article 3 (1) are not met, the competent authorities of the Member State of establishment shall refuse to issue or renew a Community licence by means of a reasoned decision.
8. Member States shall guarantee the right of the applicant for, or holder of, a Community licence to appeal against a decision by the competent authorities of the Member State of establishment to refuse or withdraw this licence.
9. Member States shall inform the Commission no later than 31 January of every year of the number of carriers holding a Community licence as at 31 December of the previous year and of the number of certified true copies corresponding to the number of vehicles in circulation on that date.
10. Member States may decide that the Community licence shall also be valid for national transport operations.

▼ **M1***Article 4***Access to the market**

1. Occasional services as defined in Article 2 (3.1) shall not require authorization.
2. Special regular services defined in Article 2 (1.2) shall not require authorization if they are covered by a contract concluded between the organizer and the carrier.
3. Empty journeys by vehicles in connection with the transport operations referred to in paragraphs 1 and 2 shall likewise not require authorization.
4. Regular services as defined in the first subparagraph of Article 2 (1.1) and special regular services not covered by a contract between the organizer and the carrier shall require authorization in accordance with Articles 5 to 10.
5. Arrangements for own-account transport operations are set out in Article 13.

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SECTION II

▼ **M1****REGULAR SERVICES SUBJECT TO AUTHORIZATION**▼ **B***Article 5***Nature of authorization**

1. Authorizations shall be issued in the name of the transport undertaking; they may not be transferred by the latter to third parties. However, the carrier who has received the authorization may, with the consent of the authority referred to in Article 6 (1), operate the service through a sub-contractor. In this case, the name of the latter undertaking and its role as sub-contractor shall be indicated in the authorization. The sub-contractor must fulfil the conditions laid down in Article 3 (1).

► **M1** In the case of undertakings associated for the purpose of operating a regular service, the authorization shall be issued in the names of all the undertakings. ◀ It shall be given to the undertaking that manages the operation and copies shall be given to the others. The authorization shall state the names of all the operators.

► **M1** 2. The period of validity of an authorization shall not exceed five years. ◀ It may be set at less either at the request of the applicant or by mutual consent of the competent authorities of the Member States on whose territory passengers are picked up or set down.

3. Authorizations shall specify the following:

- (a) the type of service;
- (b) the route of the service, giving in particular the place of departure and the place of destination;
- (c) the period of validity of the authorization;

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(d) the stops and the timetable.

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4. Authorizations shall conform to a model drawn up by the Commission ► **M1** in accordance with the procedure laid down in Article 16a ◀.

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5. Authorizations shall entitle their holder(s) to operate regular services in the territories of all Member States over which the routes of the service pass.

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6. The operator of a regular service may use additional vehicles to deal with temporary and exceptional situations.

In this case, the carrier must ensure that the following documents are carried on the vehicle:

- a copy of the authorization of the regular service,
- a copy of the contract between the operator of the regular service and the undertaking providing the additional vehicles or an equivalent document,
- a certified true copy of the Community licence issued to the operator of the regular service.

▼B*Article 6***Submission of applications for authorization****▼M1**

1. Applications for authorization of regular services shall be submitted to the competent authorities of the Member State in whose territory the place of departure is situated, hereinafter referred to as the 'authorizing authority'. The place of departure shall mean 'one of the termini of the service'.

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2. Applications shall conform to a model drawn up by the Commission ►**M1** in accordance with the procedure laid down in Article 16a ◀.

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3. Persons applying for authorization shall provide any further information which they consider relevant or which is requested by the authorizing authority, in particular a driving schedule making it possible to monitor compliance with Community legislation on driving and rest periods and a copy of the Community licence for international carriage of passengers by road for hire or reward provided for in Article 3a.

*Article 7***Authorizing procedure**

1. Authorizations shall be issued in agreement with the authorities of all the Member States in whose territories passengers are picked up or set down. The authorizing authority shall forward to such authorities — as well as to the competent authorities of Member States whose territories are crossed without passengers being picked up or set down — a copy of the application, together with copies of any other relevant documentation, and its assessment.

2. The competent authorities of the Member States whose agreement has been requested shall notify the authorizing authority of their decision on the application within two months. This time limit shall be calculated from the date of receipt of the request for an opinion which is shown in the acknowledgement of receipt. If within this period the authorizing authority has received no reply, the authorities consulted shall be deemed to have given their agreement and the authorizing authority shall grant the authorization.

The authorities of the Member States whose territories are crossed without passengers being picked up or set down may notify the authorizing authority of their comments within the time limits laid down in the first subparagraph.

3. Subject to paragraphs 7 and 8, the authorizing authority shall take a decision on the application within four months of the date of submission of the application by the carrier.

4. Authorization shall be granted unless:

- (a) the applicant is unable to provide the service which is the subject of the application with equipment directly available to him;

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- (b) in the past the applicant has not complied with national or international legislation on road transport, and in particular the conditions and requirements relating to authorizations for international road passenger services, or has committed serious breaches of legislation in regard to road safety, in particular with regard to the rules applicable to vehicles and driving and rest periods for drivers;
- (c) in the case of an application for renewal of authorization, the conditions of authorization have not been complied with;
- (d) it is shown that the service in question would directly compromise the existence of regular services already authorized, except in cases in which the regular services in question are carried out by a single carrier or group of carriers only;
- (e) it appears that the operation of services covered by the application is aimed only at the most lucrative of the services existing on the links concerned;
- (f) a Member State decides on the basis of a detailed analysis that the said service would seriously affect the viability of a comparable rail service on the direct sections concerned. Any decision pursuant to this provision, together with the reasons therefor, shall be notified to the carriers affected.

As from 1 January 2000, in the event that an existing international bus service is seriously affecting the viability of a comparable rail service on the direct sections concerned, a Member State may, with the agreement of the Commission, suspend or withdraw the authorization to run the international bus service after having given six months' notice to the carrier.

The fact that a carrier offers lower prices than are offered by other road carriers or the fact that the link in question is already operated by other road carriers may not in itself constitute justification for rejecting the application.

5. The authorizing authority and the competent authorities of all the Member States involved in the procedure to reach the agreement provided for in paragraph 1 may refuse applications only on the basis of reasons compatible with this Regulation.
6. If the procedure for reaching the agreement referred to in paragraph 1 does not enable the authorizing authority to decide on an application, the matter may be referred to the Commission within the time limit of five months calculated from the date of submission of the application by the carrier.
7. After consulting the Member States concerned, the Commission shall within ten weeks take a decision which shall take effect within thirty days of the notification of the Member States concerned.
8. The Commission decision shall continue to apply until such time as agreement is reached between the Member States concerned.
9. Having completed the procedure laid down in this Article, the authorizing authority shall inform all the authorities referred to in paragraph 1 of its decision, sending them a copy of any authorization; the competent authorities of the transit Member States may indicate that they do not wish to be so informed.

▼B*Article 8***Grant and renewal of authorizations**

1. Once the procedures referred to in Article 7 have been completed, the authorizing authority shall grant the authorization or shall formally refuse the application.
2. Decisions refusing an application must state the reasons on which they are based. Member States shall ensure that transport undertakings are given the opportunity to make representations in the event of their application being refused.

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3. Article 7 shall apply, *mutatis mutandis*, to applications for the renewal of authorizations or for alteration of the conditions under which the services subject to authorization must be carried out.

In the event of a minor alteration to the operating conditions, in particular adjustment ►**M1** of intervals ◀ of fares and timetables, the authorizing authority need only supply the other Member States concerned with the information in question.

The Member States concerned may also agree that the authorizing authority alone shall decide on alterations to the conditions under which a service is operated.

*Article 9***Lapse of an authorization**

1. Without prejudice to Article 14 of Regulation (EEC) No 1191/69 ⁽¹⁾, an authorization for a regular service shall lapse at the end of its period of validity or three months after the authorizing authority has received from its holder notice of his intention to withdraw the service. Such notice must contain a proper statement of reasons.

2. Where demand for a service has ceased to exist, the period mentioned in paragraph 1 shall be reduced to one month.

3. The authorizing authority shall inform the competent authorities of the other Member States concerned that the authorization has lapsed.

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5. The holder of the authorization shall notify users of the service concerned of its withdrawal one month beforehand by means of appropriate publicity.

*Article 10***Obligations of carriers**

1. Save in the event of *force majeure*, the operator of a regular service shall, until the authorization expires, take all measures to guarantee a transport service that fulfils the standards of continuity, regularity and capacity and complies with the other conditions laid down by the competent authority in accordance with Article 5 (3).

2. The carrier shall display the route of the service, the bus stops, the timetable, the fares and the conditions of carriage — insofar as these are not laid down by law — in such a way as to ensure that such information is readily available to all users.

3. Without prejudice to Regulation (EEC) No 1191/69, it shall be possible for the Member States concerned, by common agreement and in agreement with the holder of the authorization, to make changes to the operating conditions governing a regular service.

⁽¹⁾ Council Regulation (EEC) No 1191/69 of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway (OJ No L 156, 28. 6. 1969, p. 1). Regulation last amended by Regulation (EEC) No 1893/91 (OJ No L 169, 29. 6. 1991, p. 1).

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SECTION III

▼M1**OCCASIONAL SERVICES AND OTHER SERVICES EXEMPT FROM AUTHORIZATION***Article 11***Journey form**

1. The services referred to in Article 4 (1) shall be carried out under cover of a journey form.
2. A carrier operating occasional services shall fill out a journey form before each journey.
3. The journey form shall contain at least the following information:
 - (a) the type of service;
 - (b) the main itinerary;
 - (c) the carrier(s) involved.
4. The books of journey forms shall be supplied by the competent authorities of the Member State where the transport undertaking is established or by bodies appointed by those authorities.
5. The Commission shall, in accordance with the procedure provided for in Article 16a, lay down the model for the journey form and the way in which it is to be used.

▼B*Article 12***Local excursions**

Within the framework ►M1 ————— ◀ of an international occasional service, a carrier may carry out occasional services (local excursions) in a Member State other than that in which it is established.

Such services shall be intended for non-resident passengers previously carried by the same carrier on one of the international services mentioned in the first subparagraph and must be carried out with the same vehicle or another vehicle from the same carrier or group of carriers.

SECTION IV

OWN-ACCOUNT TRANSPORT OPERATIONS*Article 13*

1. Own-account road transport operations defined in point 4 of Article 2 shall be exempt from any system of authorization but shall be subject to a system of certificates.

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3. The certificates provided for in paragraph 1 shall be issued by the competent authority of the Member State in which the vehicle is registered and shall be valid for the entire journey including transit.

They must conform to a model determined by the Commission ►M1 in accordance with the procedure laid down in Article 16a ◀.

▼BSECTION V
CONTROLS AND PENALTIES*Article 14***Transport tickets**

1. Passengers using a regular service, excluding special regular services, ►**M1** ◀ shall throughout their journey possess transport tickets, either individual or collective, which indicate:

- the points of departure and destination and, where appropriate, the return journey;
- the period of validity of the ticket;

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- the price of transport.

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2. The transport ticket provided for in paragraph 1 shall be presented at the request of any authorized inspecting officer.

*Article 15***Inspections on the road and in undertakings**

1. The authorization or control document shall be carried on the vehicle and shall be presented at the request of any authorized inspecting officer.

In the case of the services covered by Article 4 (2), the contract or a certified true copy of it shall serve as a control document.

2. Carriers operating coaches and buses in international passenger transport shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods. In the context of implementation of this Regulation, authorized inspecting officers shall be empowered to:

- (a) check the books and other documentation relating to the operation of the transport undertaking;
- (b) make copies of, or take extracts from, the books and documentation on the premises;
- (c) have access to all the transport undertaking's premises, sites and vehicles;
- (d) require the production of any information contained in books, documentation or data bases.

▼M1*Article 16***Penalties and mutual assistance**

1. The competent authorities of the Member State where the carrier is established shall withdraw the Community licence provided for in Article 3a where the holder:

- no longer meets the conditions laid down in Article 3 (1),
- has supplied inaccurate information concerning the data which were required for the issue of the Community licence.

2. The authorizing authority shall withdraw an authorization if the holder no longer fulfils the conditions on the basis of which the authorization was issued under this Regulation, in particular where the Member State in which the carrier is established so requests. The authority shall immediately inform the competent authorities of the Member State concerned.

3. In the case of a serious breach or repeated minor breaches of road safety regulations, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision without authorization of parallel or temporary services, as referred to in Article 2 (1.3), the competent authorities of the Member State of establishment

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of the carrier who committed the breach may *inter alia* withdraw the Community licence or make temporary and/or partial withdrawals of the certified true copies of the Community licence.

These penalties shall be determined in accordance with the seriousness of the breach committed by the holder of the Community licence and with the total number of certified true copies that he possesses in respect of his international trade.

4. The competent authorities of the Member States shall prohibit a carrier from operating on their territory an international passenger service under this Regulation if he repeatedly commits serious breaches of the regulations governing road safety, in particular with regard to the rules applicable to vehicles and driving and rest periods for drivers. They shall immediately inform the competent authorities of the Member State concerned.

5. Member States shall on request provide each other with any relevant information in their possession concerning:

- breaches of this Regulation and of any other Community rules applicable to the international carriage of passengers by coach and bus committed in their territory by a carrier from another Member State, and the penalties imposed,
- the penalties imposed on their own carriers in respect of breaches committed in the territory of another Member State.

Article 16a

Where the procedure referred to in this Article is to be followed the Commission shall be assisted by the advisory committee set up by Council Regulation (EC) No 12/98 of 11 December 1997, laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State⁽¹⁾ and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

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SECTION VI

TRANSITIONAL AND FINAL PROVISIONS*Article 17***Transitional provision**

Authorizations for services existing on the date of entry into force of this Regulation shall continue to be valid until they expire insofar as the services in question remain subject to authorization.

*Article 18***Agreements between Member States**

1. Member States may conclude bilateral and multilateral agreements on the further liberalization of the services covered by this

⁽¹⁾ OJ No L 4, 8. 1. 1998, p. 10.

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Regulation, in particular as regards the authorization system and the simplification or abolition of control documents.

2. Member States shall inform the Commission of any agreements concluded under paragraph 1.

*Article 19***Implementation**

Member States shall, before 1 June 1992 and after consulting the Commission, adopt the measures necessary for the implementation of this Regulation and notify such measures to the Commission.

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Member States shall adopt measures relating in particular to the means of carrying out checks and the system of penalties applicable to infringements of the provisions of this Regulation, and take all the measures necessary to ensure that those penalties are applied. The penalties thus provided for shall be effective, proportionate and dissuasive. Member States shall notify the relevant measures to the Commission within 12 months of the date on which this Regulation comes into force and shall notify any subsequent changes as soon as possible. They shall ensure that all such measures are applied without discrimination as to the nationality or place of establishment of the carrier.

▼B*Article 20***Commission report and proposal**

1. Before 1 July 1995 the Commission shall report to the Council on the application of this Regulation. Before 1 January 1996 it shall submit to the Council a proposal for a Regulation on the simplification of procedures including — in the light of the report's conclusions — the abolition of authorizations.

2. Before 1 January 1997 the Council shall act by qualified majority on the Commission proposal referred to in paragraph 1.

*Article 21***Repeals**

1. Regulations No 117/66/EEC, (EEC) No 516/72 and (EEC) No 517/72 are hereby repealed.

2. References to the Regulations repealed shall be taken as references to this Regulation.

*Article 22***Entry into force and application**

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 June 1992.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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ANNEX

EUROPEAN COMMUNITY

(a)

(Heavy-duty, blue — dimension DIN A4)

(First page of the licence)

(Text in the official language(s) or one of the official languages of the Member State issuing the licence)

Distinctive symbol of the Member State ⁽¹⁾ issuing the licence

Designation of the competent authority or body

LICENCE No. . . .

for the international carriage of passengers by coach and bus for hire or reward

The holder of this licence ⁽²⁾

is authorized to carry out international carriage of passengers by road for hire or reward in the territory of the Community pursuant to the conditions laid down by Council Regulation (EEC) No 684/92 of 16 March 1992, as amended by Regulation (EC) No 11/98 and in accordance with the general provisions of this licence.

Comments:

This licence is valid from to

Issued in, on

..... ⁽³⁾

⁽¹⁾ (B) Belgium, (DK) Denmark, (D) Germany, (GR) Greece, (E) Spain, (F) France, (IRL) Ireland, (I) Italy, (L) Luxembourg, (NL) Netherlands, (A) Austria, (P) Portugal, (FIN) Finland, (S) Sweden, (UK) United Kingdom ►⁽¹⁾, (CZ) Czech Republic, (EST) Estonia, (CY) Cyprus, (LV) Latvia, (LT) Lithuania, (H) Hungary, (M) Malta, (PL) Poland, (SLO) Slovenia, (SK) Slovakia ◀.

⁽²⁾ Full name or business name of the carrier.

⁽³⁾ Signature and stamp of the competent authority or body issuing the licence.

▼ **M1****General provisions**

1. This licence is issued pursuant to Council Regulation (EEC) No 684/92 of 16 March 1992 on common rules for the international carriage of passengers by coach and bus, as amended by Regulation (EC) No 11/98.
2. This licence is issued by the competent authorities of the Member State of establishment of the carrier for hire or reward who:
 - is authorized in the Member State of establishment to undertake carriage by means of regular services, including special regular services or occasional services by coach and bus,
 - satisfies the conditions laid down in accordance with Community rules on admission to the occupation of road passenger transport operator in national and international transport operations,
 - meets legal requirements on road safety as far as the standards for drivers and vehicles are concerned.
3. This licence permits the international carriage of passengers by coach and bus for hire or reward on all transport links for journeys carried out in the territory of the Community:
 - where the place of departure and place of destination are situated in two different Member States, with or without transit through one or more Member States or third countries,
 - from a Member State to a third country and vice versa, with or without transit through one or more Member States or third countries,
 - between third countries crossing the territory of one or more Member States in transit,

and empty journeys in connection with transport operations under the conditions laid down by Regulation (EEC) No 684/92.

In the case of a transport operation from a Member State to a third country and vice versa, Regulation (EEC) No 684/92, is applicable, for the journey made in the territory of the Member State of picking up or setting down, once the necessary agreement between the Community and the third country in question has been concluded.

4. This licence is personal and non-transferable.
5. This licence may be withdrawn by the competent authority of the Member State of issue in particular where the carrier:
 - no longer meets the conditions laid down in Article 3 (1) of Regulation (EEC) No 684/92,
 - has supplied inaccurate information regarding the data required for the issue or renewal of the licence,
 - has committed a serious breach or repeated minor breaches of road safety regulations, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision, without authorization, of parallel or temporary services as referred to in Article 2 (1.3) of Regulation (EEC) No 684/92. The competent authorities of the Member State of establishment of the carrier who committed the breach may, 'inter alia', withdraw the Community licence or make temporary and/or partial withdrawals of the certified true copies of the Community licence.

These penalties are determined in accordance with the seriousness of the breach committed by the holder of the Community licence and with the total number of certified true copies that he possesses in respect of his international trade.

6. The original of the licence must be kept by the carrier. A certified true copy of the licence must be carried on the vehicle carrying out an international transport operation.
7. This licence must be presented at the request of any inspecting officer.
8. The holder must, on the territory of each Member State, comply with the laws, regulations and administrative measures in force in that State, particularly with regard to transport and traffic.
9. 'Regular services' means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

Regular services require authorization.

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‘Special regular services’ means regular services which provide for the carriage of specified categories of passengers, to the exclusion of other passengers, at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points.

Special regular services shall include:

- (a) the carriage of workers between home and work;
- (b) carriage to and from the educational institution for school pupils and students;
- (c) the carriage of soldiers and their families between their homes and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

Special regular services do not require authorization if they are covered by a contract between the organizer and the carrier.

The organization of parallel or temporary services, serving the same public as existing regular services, requires authorization.

‘Occasional services’ means services which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself. The organization of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorization in accordance with the procedure with the procedure laid down in Section II of Regulation (EEC) No 684/92. These services shall not cease to be occasional services solely because they are provided at certain intervals.

Occasional services do not require authorization.