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STATUTORY INSTRUMENTS

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**2009 No. 1914**

**The Heavy Goods Vehicles (Charging for the  
Use of Certain Infrastructure on the Trans-  
European Road Network) Regulations 2009**

**PART 4**

**INFORMATION REQUIREMENTS**

**Information requirements where a concession toll is involved**

**18.**—(1) Paragraphs (2) and (3) apply where the responsible person in relation to a tolling arrangement is not an appropriate national authority, and the tolling arrangement—

- (a) comes into effect after the date these Regulations come into force, and
- (b) does involve a concession toll.

(2) Where this paragraph applies, the responsible person must communicate to the appropriate national authority the following information—

- (a) details of the concession contract under which the concession toll is levied, or significant changes to such contracts, and
- (b) the base case on which the grantor under the concession contract has founded the notice of concession, as referred to in Annex VII B to Directive 2004/18/EC of the European Parliament and of the Council of 31st March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts<sup>(1)</sup>.

(3) The base case referred to in paragraph (2)(b) must include—

- (a) an estimate of the costs referred to in regulation 4(1) in relation to the concession,
- (b) a forecast of the traffic divided into types of HGV,
- (c) the levels of tolls envisaged, and
- (d) the geographic extent of the network covered by the concession contract.

(4) Paragraphs (5) and (6) apply where the responsible person in relation to a tolling arrangement is an appropriate national authority, and the tolling arrangement—

- (a) comes into effect after the date these Regulations come into force, and
- (b) does involve a concession toll.

(5) Subject to paragraph (6), where this paragraph applies, the responsible person must communicate to the European Commission the information referred to in paragraph (2)(a) and (b) at least four months before the tolling arrangement is due to come into effect.

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(1) O.J. L 134, 30.4.2004, p.114.

(6) Where the tolling arrangement is due to come into effect less than four months after the date these Regulations come into force, the responsible person must communicate to the European Commission the information referred to in paragraph (2)(a) and (b) as soon as reasonably practicable.