
STATUTORY INSTRUMENTS

1984 No. 748

ROAD TRAFFIC

**The Road Transport (International
Passenger Services) Regulations 1984**

<i>Made</i>	- - - -	<i>25th May 1984</i>
<i>Laid before Parliament</i>		<i>8th June 1984</i>
<i>Coming into Operation</i>		<i>1st July 1984</i>

The Secretary of State for Transport, being a Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972 in relation to international carriage of passengers by road, in exercise of the powers conferred by that section, section 40(1) and (3) of the Road Traffic Act 1972 and section 60(1) of the Public Passenger Vehicles Act 1981 and, with the consent of the Treasury, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973, and now vested in him⁽²⁾, and of all other enabling powers, and (in respect of the Regulations in so far as made under the said sections 40(1) and (3) and 60(1)), after consultation with representative organisations in accordance with the provisions of section 199(2) of the Road Traffic Act 1972 and section 61(2) of the said Act of 1981, 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 1984 and shall come into operation on 1st July 1984.

(2) The Road Transport (International Passenger Services) Regulations 1980, the Road Transport (International Passenger Services) (Amendment) Regulations 1981 and the Road Transport (International Passenger Services) (Amendment) Regulations 1983 are hereby revoked.

Interpretation

2.—(1) In these Regulations—

(1) S.I. 1972/1811, 1979/571 and 1981/238.
(2) S.I. 1979/571 and 1981/238.

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- (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) “ASOR” means the Agreement on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR)(**3**), approved on behalf of the Economic Community pursuant to Council Decision (EEC) of 20th July 1982 concluding the Agreement, entering into force for the Economic Community on 1st December 1983, as read with Council Regulation (EEC) No. 56/83 on measures implementing the Agreement.
- (c) “ASOR State” means—
- (i) a state, not being a member State, which is a Contracting Party to ASOR and to which the provision of Sections II and III of ASOR apply in accordance with Article 18 thereof; or
 - (ii) the Economic Community;
- (d) “ASOR regulated” means, in relation to the carriage of passengers, the international carriage of passengers by road to which ASOR applies, namely in the circumstances specified in Article 1 thereof, that is to say, by means of occasional services (within the meaning of that Agreement) effected—
- (i) between the territories of two ASOR States, or starting and finishing in the territory of the same ASOR State; and
 - (ii) should the need arise during such services, in transit through the territory of another ASOR State or through the territory of a state which is not an ASOR State; and
 - (iii) using vehicles registered in the territory of an ASOR State which by virtue of their construction and their equipment, are suitable for carrying more than nine persons, including the driver, and are intended for that purpose,
- and references to the carriage of passengers which is ASOR regulated include unladen journeys of the vehicles concerned with such carriage;
- (e) “Community regulated” means, in relation to the carriage of passengers, 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 references to the carriage of passengers which is Community regulated include unladen journeys of the vehicles concerned with such carriage;
- (f) “ECMT State” means a State which is a member of the European Conference of Ministers of Transport of the 17th November 1953 but not a member State or an ASOR State;

(3) O.J. No. L.230, 5.8.82, p.39.

- (g) “the Secretary of State” means the Secretary of State for Transport;
 - (h) “examiner” has the same meaning as in section 7(1) of the Road Traffic (Foreign Vehicles) Act 1972(4);
 - (i) “public service vehicle” shall be construed in accordance with section 1 of the Act of 1981;
 - (j) “the Act of 1981” means the Public Passenger Vehicles Act 1981;
- (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 THE ACT OF 1981 IN RELATION TO 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
 - (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 the Act of 1981 shall have effect as if—
- (a) in relation to a vehicle to which this Regulation applies registered in Great Britain, section 30 (Road service licences required for operation of stage carriage services) of the Act of 1981 were omitted; and
 - (b) in relation to a vehicle to which this Regulation applies registered in Northern Ireland, sections 6, 12, 18, 22 and 30 of the Act of 1981 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 the Act of 1981 shall have effect as if—
- (a) in relation to a vehicle to which this Regulation applies registered in Northern Ireland, sections 6, 12, 18 and 22 of the Act of 1981 were omitted; and

(4) section 7(1) has been amended by section 88 of, and paragraph 17 of Schedule 7 to, the Public Passenger Vehicles Act 1981.

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- (b) in relation to a vehicle to which this Regulation applies registered in Great Britain or in Northern Ireland, for section 30 of the Act of 1981 there were substituted the following section:—

“**30.**—(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 level 3 on the standard scale (within the meaning of section 75 of the Criminal Justice Act 1982⁽⁵⁾),

(4) In this section ‘international passenger transport authorisation’ means a licence, permit, authorisation or other document issued by the Secretary of State 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 ASOR or 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 to provide a service for the carriage of passengers which is ASOR regulated; or
- (c) in so far as the vehicle is used as a public service vehicle for the carriage of passengers which is not ASOR regulated or Community regulated but is a service of a description such as is mentioned in any of the paragraphs of Article 3 of Council Regulation No. 117/66.

(2) The provision of the Act of 1981 shall have effect as if—

(5) 1982 c.48.

- (a) in relation to a vehicle to which this Regulation applies registered in Northern Ireland, sections 6, 12, 18 and 22 of the Act of 1981 were omitted; and
- (b) in relation to a vehicle to which this Regulation applies registered in Great Britain or in Northern Ireland, for section 30 of the Act of 1981 there were substituted the following section:—

“**30.**—(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 the use of the vehicle, in the case of such carriage which is ASOR regulated, the requirements of Articles 7, 8 and 9 of, and the Annex to, ASOR (which provide for the completion by the person by whom, or on whose behalf, a vehicle is used to provide an occasional service of a passenger way-bill 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 and, in the case of any other such carriage, the requirements of Articles 2, 3 and 4 of, and of Annex 2 to, Commission Regulation No. 1016/68 (which provide as aforesaid) 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 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 the case of ASOR regulated carriage, in accordance with Articles 7, 8 and 9 of, and the Annex to, ASOR and, in the case of any other such carriage, in accordance with Articles 2, 3, and 4 of, and 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 his 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, in the case of a vehicle used for ASOR regulated carriage, the document required by Article 8(2) of ASOR and, in the case of any other such carriage, the document required by Article 3(2) of Commission Regulation No. 1016/68, to be kept on a vehicle to which that Article 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, under subsection (2) or (3) above, or
 - (c) wilfully obstructs an officer or examiner in the exercise of his powers under either of those subsections,

shall be guilty of an offence and shall be liable to summary conviction to a fine not exceeding level 3 on the standard scale (within the meaning of section 75 of the Criminal Justice Act 1982).

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(5) In this section—

`ASOR' means the Agreement on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR) approved on behalf of the Economic Community pursuant to Council Decision (EEC) of 20th July 1982 concluding the Agreement entering into force for the Economic Community on 1st December 1983, as read with Council Regulation (EEC) No. 56/83 on measures implementing the Agreement;

`ASOR' State' means—

- (a) a state, not being a member State, which is a Contracting Party to ASOR and to which the provisions of Sections II and III of ASOR apply in accordance with Article 18 thereof; or
- (b) the Economic Community;

`ASOR regulated' means, in relation to the carriage of passengers, the international carriage of passengers by road to which ASOR applies namely in the circumstances specified in Article 1 thereof, that is to say, by means of occasional services (within the meaning of that Agreement) effected—

- (a) between the territories of two ASOR States, or starting and finishing in the territory of the same ASOR State: and
- (b) should the need arise during such services, in transit through the territory of another ASOR State or through the territory of a state which is not an ASOR State; and
- (c) using vehicles registered in the territory of an ASOR State which, by virtue of their construction and their equipment, are suitable for carrying more than nine persons, including the driver, and are intended for that purpose,

and references to the carriage of passengers which is ASOR regulated include unladen journeys of the vehicles concerned with such carriage;

`Commission Regulation No. 1016/68' means Regulation (EEC) No. 1016/68 of the Commission of 9th July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No. 117/66/EEC as amended by and as read with Regulation (EEC) No. 2485/82 of the Commission of 13th September 1982; and

`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.”.

PART III

MODIFICATIONS OF THE ACT OF 1981 IN RELATION TO 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 the Act of 1981 shall, in relation to a vehicle to which this Regulation applies, have effect as if sections 6, 12, 18, 22 and 30 of the Act of 1981 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 the Act of 1981 shall, in relation to a vehicle to which this Regulation applies, have effect as if sections 6, 12, 18, 22 and 30 of the Act of 1981 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 the Act of 1981 shall in relation to a vehicle to which this Regulation applies, have effect as if sections 6, 18, 22 and 30 of the Act of 1981 were omitted, and as if for section 12 of the Act of 1981 there were substituted the section set out in Schedule 2.

ASOR or Community regulated occasional services by vehicles registered outside the United Kingdom

10.—(1) This Regulation applies to a vehicle registered outside the United Kingdom which is being used for ASOR or 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 2 of ASOR or 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 each of those Articles (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 each of those Articles (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) in the case of a vehicle being used for ASOR regulated carriage, the requirements of Articles 7, 8 and 9 of, and the Annex to, ASOR (which provides 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 the top copy of such waybill on the vehicle at all times while it is used on that service) and in the case of a vehicle being used for Community regulated carriage, the requirements of Articles 2, 3 and 4 of, and Annex 2 to, Commission Regulation No. 1016/68 (which provides as aforesaid), 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 the Regulation applies, the provisions of the Act of 1981 shall have effect as if sections 6, 18, 22 and 30 of the Act of 1981 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—
 - (i) in Article 2(1)(a) or (b) of ASOR or Article 3(1)(a) or (b) of Council Regulation No. 117/66, or
 - (ii) in a case where the service is ASOR regulated and all the conditions mentioned in Article 5(2) of ASOR are fulfilled, in Article 2(1)(c) of ASOR, or
 - (iii) in a case where the service is Community regulated and all the conditions mentioned in Article 5(2) of the said Council Regulation are fulfilled, in Article 2(1)(c) of that Regulation,
 as if section 12 of the Act of 1981 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 Article 2(1)(c) of ASOR or Article 2(1)(c) of the said Council Regulation and—
 - (i) in a case where the service is ASOR regulated any of the conditions mentioned in Article 5(2) of ASOR are not fulfilled, or
 - (ii) in a case where the service is Community regulated, any of the conditions mentioned in Article 5(2) of the said Council Regulation are not fulfilled,
 as if for the said section 12 there were substituted the section set out in Schedule 2.

Certain occasional services by vehicles registered in ECMT States

- 11.—**(1) This Regulation applies to a public service vehicle—
- (a) which is registered in the territory of a State which is an ECMT State;
 - (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 ASOR or Community regulated but which is of a description such as it 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 the territory of an ECMT State and ends at a place situated in the territory of such a State or in Great Britain, and

(ii) is so used by or on behalf of a person who is authorised, under the law in force in the State, in the territory of which it is registered to use the vehicle for the carriage of passengers on the journey in question or such part thereof as lies within the territory of that State.

(2) In relation to a vehicle to which this Regulation applies, the provisions of the Act of 1981 shall have effect as if sections 6, 18, 22 and 30 of the Act of 1981 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 12 of the Act of 1981 there were substituted the following sections:—

“12. 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 Service) Regulations 1984 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 12 of the Act of 1981 there were substituted the section set out in Schedule 2.

Certain occasional services by vehicles not registered in a member State, an ASOR State or an ECMT State

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

- (a) which is registered in the territory of a State which is not a member State, an ASOR State or an ECMT State;
- (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 state in the territory of 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—

- (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 Regulation No. 117/66, and
- (ii) is so used by or on behalf of a person who is authorised, under the law in force in the state in the territory of which it is registered to use the vehicle for the carriage of passengers on the journey in question or such parts thereof as lies within the territory of that state.

(2) The provisions of the Act of 1981 shall, in relation to a vehicle to which this Regulation applies, have effect as if sections 6, 18, 22 and 30 of the Act of 1981 were omitted and as if for section 12 of the Act of 1981 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 ASOR, the Council Regulations and the Commission Regulation

13.—(1) The Secretary of State shall be the competent authority of the United Kingdom for all purposes of ASOR, the Council Regulations and the Commission Regulation, in relation to the international carriage of passengers to, from or through Great Britain.

(2) The Bus and Coach Council is hereby designated as a duly authorised agency for the purposes of Article 6 of ASOR and of Article 9 of Council Regulation No. 117/66.

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, a special regular service authorisation or a shuttle service authorisation shall be made to the Secretary of State on the form prescribed by Regulation (EEC) No. 1172/72 of the Commission of 26th May 1972.

(2) An application for any other authorisation required by these Regulations or by the Act of 1981 as modified by these Regulations, for the use of a vehicle for the international carriage of passengers by road shall be made to the Secretary of State.

(3) An applicant for a shuttle service authorisation, a regular, or special regular, service authorisation, or an international passenger transport authorisation required by section 30 of the Public Passenger Vehicles Act 1981, as modified by Regulation 5, shall pay, when the application is made, a fee of £110 in respect of the application.

(4) An applicant for a regular, or special regular, service authorisation shall pay, when the application is made, in addition to the fee required by paragraph (3) above, a fee of £25 in respect of each year of validity of the authorisation.

(5) An applicant for a control document referred to in paragraph (1) of Regulation 15 shall pay to the Bus and Coach Council, when the application is made, a fee of such amount as may, with approval of the Secretary of State, be required by the Council.

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

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 7 of ASOR or 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 2 of ASOR or Article 3 of Council Regulation No. 117/66).

(2) An application for the issue of a certificate referred to in paragraph (1) above shall be made to the Secretary of State and an application for the issue of a control document referred to in that paragraph shall be made to the Bus and Coach Council.

(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 7 of ASOR or 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 2 of ASOR or 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 Secretary of State 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 7(1) of ASOR or Article 2(1) of Commission Regulation No. 1016/68 is required to be contained in a control document such as is mentioned in those Articles 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 ASOR or Community regulated 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 an ASOR regulated or 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 kept or carried on the vehicle.

(2) An examiner may, on production if so required of his authority,—

- (a) require the driver of a vehicle referred to in paragraph (1) above to produce the document and to permit him to inspect and copy it and (in the case of a document of a description referred to in any of the provisions specified in paragraph (3) (c) or (e) below) 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.

(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);
- (c) Article 8(2) of ASOR and Article 3(2) of Commission Regulation No. 1016/68 (which provide that the top copy of the passenger waybill being the document which, by virtue of Article 7 of ASOR or Article 2 of Commission Regulation No. 1016/68, has been detached from the control document such as is mentioned in those Articles, and is the document

applicable in respect of the provision of a service for the carriage of passengers such as is mentioned in Article 2 of ASOR or Article 3 of Council Regulation No. 117/66, shall be kept on the vehicle);

- (d) Article 11(3) or ASOR and Article 5a(3) of Commission Regulation No. 1018/68 (which provide that the model document with stiff green covers referred to in Article 11 of ASOR must be carried on the vehicle); and
- (e) Regulation 17.

Carriage on the vehicle of certificate issued under Article 6 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.

- (2) An examiner may, on production if so required of his authority,—
 - (a) require the driver of a vehicle referred to in paragraph (1) above to produce the 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 Secretary of State 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 Secretary of State decides to withdraw an authorisation in exercise of his powers under Council Regulation No. 516/72 or 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 Secretary of State.

(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 Secretary of State.

(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 Secretary of State.

(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 ASOR, 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 ASOR regulated or 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 2 of ASOR or 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 way bill is not kept on the vehicle throughout the journey to which it refers, as required, in the case of a vehicle being used for ASOR regulated carriage, by Articles 7 and 8 of ASOR and, in the case of a vehicle being used for Community regulated carriage, 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 £400.

Penalty relating to documents required in respect of ASOR and 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 ASOR, 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 ASOR, the Council Regulations or Commission Regulation referred to in any of those provisions

shall be liable on summary conviction to a fine not exceeding £400.

Forgery and false statements, etc

21. In sections 65(1)(a) (forgery) and 66(a) (false statements) of the Act of 1981 the references to a licence under any Part of that Act shall include references to an authorisation, certificate or other document required by ASOR, any of the Council Regulations or the Commission Regulation, or by

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these Regulations, or by the Act of 1981 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.

Amendment of Road Traffic (Foreign Vehicles) Act 1972

22.—(1) The Road Traffic (Foreign Vehicles) Act 1972 is amended in accordance with the following provisions of this Regulation.

(2) In section 1(1)(a) and (2)(a) after “enactment”, in each place where it occurs, there shall be inserted “or instrument”.

(3) In Schedule 1 (Enactments conferring functions on examiners)—

(a) in the headings for “ENACTMENTS” and “*Enactment*” there shall be substituted “PROVISIONS” and “*Provisions*”, and

(b) there shall be added at the end—

“Regulation 16 of the Road Transport (International Passenger Services) Regulations 1984.	To require the production of, and to inspect, copy and mark, documents required to be kept or carried on certain passenger vehicles.”.
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(4) In Schedule 2 (Provisions relating to vehicles and their drivers) there shall be added at the end:—

“Regulation 19 of the Road Transport (International Passengers Services) Regulations 1984.	To impose penalties for contravention of certain requirements relating to international passenger services.”.
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Disapplication of requirements as to fitness, equipment type approval and certification of public service vehicles

23. None of the provisions of Parts II, III, IV and V of the Public Service Vehicles (Conditions of Fitness, Equipment Use and Certification) Regulations 1981(6) 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.

23rd May 1984

Nicholas Ridley
Secretary of State for Transport

We consent to the making of these Regulations,

25th May 1984

T. Garel Jones
Donald Thompson
Two of the Lords Commissioners of Her Majesty's Treasury

(6) , amended by S.I. 1982/20 and 1058.

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 28th July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus;

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

“Council Regulation No. 517/72” means Regulation (EEC) No. 517/72 of the Council of 28th February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States as amended by Regulation (EEC) No. 1301/78 of the Council of 12th June 1978.

“Commission Regulation No. 1016/68” means Regulation (EEC) No. 1016/68 of the Commission of 9th July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No. 117/66 EEC as amended by and as read with Regulation (EEC) No. 2485/82 of the Commission of 13th September 1982.

SCHEDULE 2

(see Regulations 9, 10 and 11)

“12.—(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 Secretary of State in pursuance of an international agreement or arrangement to which the United Kingdom is for the time being a party.”

SCHEDULE 3

(see Regulation 11(2))

EXPLANATORY NOTE

These Regulations consolidate, with the Regulations which amended them, the Road Transport (International Passenger Services) Regulations 1980, and make further amendments.

The principal effects of the further amendments are—

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- (a) to implement in relation to Great Britain the Agreement on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR), which requires the Member States of the European Economic Community and the other States which are parties to that agreement to facilitate the operation of such services, and Council Regulation (EEC) No. 56/83 of 19th December 1982 concerning the implementation of that Agreement. (Regulations 2(1)(b), (c) and (d), 6, 10, 11, 12, 13, 14, 15, 16, 19, 20 and 22);
- (b) to provide for the issue of the control document for occasional services, specified in Article 7 of ASOR or in Article 2 of Commission Regulation 1016/68, by the Bus and Coach Council (Regulations 13(2) and 15(1)) and to require applicants for the control document to pay to the Bus and Coach Council a fee of such amount as may, with the approval of the Secretary of State, be required by the Council (Regulation 14(5));
- (c) to enable an examiner (as defined in Regulation 2(1)(h)) to require the production, and to inspect and copy, the model document with stiff green covers required to be carried on a vehicle used to provide occasional services and to detain the vehicle for such time as is required for the purposes of inspecting and copying the document (Regulation 16(3)(d)); and
- (d) to increase from £200 to £400 the maximum penalty on summary conviction of an offence under Regulation 19 and 20 of these Regulations.