

Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (recast) (Text with EEA relevance)

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1 This Regulation shall apply to the international carriage of goods by road for hire or reward for journeys carried out within the territory of the Community.

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 any Member State crossed in transit. It shall not apply to that part of the journey on the territory of the Member State of loading or unloading, as long as the necessary agreement between the Community and the third country concerned has not been concluded.

3 Pending the conclusion of the agreements referred to in paragraph 2, this Regulation shall not affect:

- a provisions relating to the carriage from a Member State to a third country and vice versa included in bilateral agreements concluded by Member States with those third countries;
- b provisions relating to the carriage from a Member State to a third country and vice versa included in bilateral agreements concluded between Member States which, under either bilateral authorisations or liberalisation arrangements, allow loading and unloading in a Member State by hauliers not established in that Member State.

4 This Regulation shall apply to the national carriage of goods by road undertaken on a temporary basis by a non-resident haulier as provided for in Chapter III.

5 The following types of carriage and unladen journeys made in conjunction with such carriage shall not require a Community licence and shall be exempt from any carriage authorisation:

- a carriage of mail as a universal service;
- b carriage of vehicles which have suffered damage or breakdown;
- c carriage of goods in motor vehicles the permissible laden mass of which, including that of trailers, does not exceed 3,5 tonnes;
- d carriage of goods in motor vehicles provided the following conditions are fulfilled:
 - (i) the goods carried are the property of the undertaking or have been sold, bought, let out on hire or hired, produced, extracted, processed or repaired by the undertaking;
 - (ii) the purpose of the journey is to carry the goods to or from the undertaking or to move them, either inside or outside the undertaking for its own requirements;

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1072/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (iii) motor vehicles used for such carriage are driven by personnel employed by, or put at the disposal of, the undertaking under a contractual obligation;
 - (iv) the vehicles carrying the goods are owned by the undertaking, have been bought by it on deferred terms or have been hired provided that in the latter case they meet the conditions of Directive 2006/1/EC of the European Parliament and of the Council of 18 January 2006 on the use of vehicles hired without drivers for the carriage of goods by road⁽¹⁾; and
 - (v) such carriage is no more than ancillary to the overall activities of the undertaking;
- e carriage of medicinal products, appliances, equipment and other articles required for medical care in emergency relief, in particular for natural disasters.

Point (d)(iv) of the first subparagraph shall not apply to the use of a replacement vehicle during a short breakdown of the vehicle normally used.

6 The provisions of paragraph 5 shall not affect the conditions under which a Member State authorises its nationals to engage in the activities referred to in that paragraph.

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(1) [OJ L 33, 4.2.2006, p. 82.](#)

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Changes and effects yet to be applied to :

- Art. 1 para. 5 Point (ca) addition by [EUR 2020/1055](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 1 para. 5 Point (c) replacement by [EUR 2020/1055](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 1(1)(2) substituted by [S.I. 2019/708](#) reg. 13(2)(a)
- Art. 1(3) omitted by [S.I. 2019/708](#) reg. 13(2)(b)
- Art. 1(5) words inserted by [S.I. 2019/708](#) reg. 13(2)(c)
- Art. 1(6) words substituted by [S.I. 2019/708](#) reg. 13(2)(d)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1 words substituted by [S.I. 2019/708](#) reg. 13(19)
- Annex 1 heading words substituted by [S.I. 2019/708](#) reg. 13(19)
- Art. 1(5)(c) word substituted by [S.I. 2022/293](#) reg. 13
- Annex 23 substituted by [S.I. 2019/708](#) Sch. 2
- Art. 2(1) words inserted by [S.I. 2019/708](#) reg. 13(3)
- Art. 2(2)(a)-(f) substituted for Art. 2(2)(a)-(d) by [S.I. 2019/708](#) reg. 13(3)(b)
- Art. 2(2)(b) words inserted by [S.I. 2022/1260](#) reg. 4(2)
- Art. 2(2)(e) word omitted by [2020 c. 29](#) s. 24(2)(a)
- Art. 2(2)(g) and word inserted by [2020 c. 29](#) s. 24(2)(b)
- Art. 2(3) substituted by [S.I. 2019/708](#) reg. 13(3)(c)
- Art. 2(4) word omitted by [S.I. 2019/708](#) reg. 13(3)(d)
- Art. 2(6) word omitted by [S.I. 2019/708](#) reg. 13(3)(d)
- Art. 2(7) words inserted by [S.I. 2019/708](#) reg. 13(3)(e)(ii)
- Art. 2(7) words substituted by [S.I. 2019/708](#) reg. 13(3)(e)(i)
- Art. 2(8)-(14) inserted by [S.I. 2019/708](#) reg. 13(3)(f)
- Art. 4(7) inserted by [S.I. 2019/708](#) reg. 13(5)(f)
- Art. 5(1A) inserted by [S.I. 2019/708](#) reg. 13(6)(a)
- Art. 5(2A) inserted by [S.I. 2019/708](#) reg. 13(6)(b)
- Art. 5(8) inserted by [S.I. 2019/708](#) reg. 13(6)(e)
- Art. 7(2)(b) words substituted by [S.I. 2019/708](#) reg. 13(8)(c)(ii)
- Art. 10(5A) inserted by [S.I. 2019/708](#) reg. 13(11)(f)
- Art. 10(7)-(9) inserted by [S.I. 2019/708](#) reg. 13(11)(h)
- Art. 10a addition by [EUR 2020/1055](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 12(7) inserted by [S.I. 2019/708](#) reg. 13(13)(h)
- Art. 14(2) words substituted by [S.I. 2019/708](#) reg. 13(15)
- Art. 14a addition by [EUR 2020/1055](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 14b addition by [EUR 2020/1055](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 15A15B inserted by [S.I. 2019/708](#) reg. 13(17)