

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 IV

MUTUAL ASSISTANCE AND PENALTIES

Article 13

Sanctioning of infringements by the host Member State

1 Where the competent authorities of a Member State are aware of a serious infringement of this Regulation or of Community road transport legislation attributable to a non-resident haulier, the Member State within the territory of which the infringement is ascertained shall transmit to the competent authorities of the haulier's Member State of establishment, as soon as possible and at the latest within 6 weeks of their final decision on the matter, the following information:

- a a description of the infringement and the date and time when it was committed;
- b the category, type and seriousness of the infringement; and
- c the penalties imposed and the penalties executed.

The competent authorities of the host Member State may request the competent authorities of the Member State of establishment to impose administrative penalties in accordance with Article 12.

2 Without prejudice to any criminal prosecution, the competent authorities of the host Member State shall be empowered to impose penalties on a non-resident haulier who has committed infringements of this Regulation or of national or Community road transport legislation in their territory during a cabotage operation. They shall impose such penalties on a non-discriminatory basis. These penalties may, inter alia, consist of a warning, or, in the event of a serious infringement, a temporary ban on cabotage operations on the territory of the host Member State where the infringement was committed.

3 Member States shall ensure that hauliers have the right to appeal against any administrative penalty imposed on them pursuant to this Article.

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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 13(1) words inserted by [S.I. 2019/708 reg. 13\(14\)\(a\)\(ii\)\(bb\)](#)
- Art. 13(1) words substituted by [S.I. 2019/708 reg. 13\(14\)\(a\)\(i\)](#)
- Art. 13(1) words substituted by [S.I. 2019/708 reg. 13\(14\)\(a\)\(ii\)\(aa\)](#)
- Art. 13(2) omitted by [S.I. 2019/708 reg. 13\(14\)\(b\)](#)
- Art. 13(3) omitted by [S.I. 2019/708 reg. 13\(14\)\(b\)](#)

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\(17\)](#)