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 II

INTERNATIONAL CARRIAGE

Article 4

Community licence

- 1 The Community licence shall be issued by a Member State, in accordance with this Regulation, to any haulier carrying goods by road for hire or reward who:
 - a is established in that Member State in accordance with Community legislation and the national legislation of that Member State; and
 - b is entitled in the Member State of establishment, in accordance with Community legislation and the national legislation of that Member State concerning admission to the occupation of road haulage operator, to carry out the international carriage of goods by road.
- 2 The Community licence shall be issued by the competent authorities of the Member State of establishment for renewable periods of up to 10 years.

Community licences and certified copies issued before the date of application of this Regulation shall remain valid until their date of expiry.

The Commission shall adapt the period of validity of the Community licence to technical progress, in particular the national electronic registers of road transport undertakings as provided for in Article 16 of Regulation (EC) No 1071/2009. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(2).

- 3 The Member State of establishment shall issue the holder with the original of the Community licence, which shall be kept by the haulier, and the number of certified true copies corresponding to the number of vehicles at the disposal of the holder of the Community licence, whether those vehicles are wholly owned or, for example, held under a hire purchase, hire or leasing contract.
- The Community licence and the certified true copies shall correspond to the model set out in Annex II, which also lays down the conditions governing its use. They shall contain at least two of the security features listed in Annex I.

The Commission shall adapt Annexes I and II to technical progress. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(2).

The Community licence and the certified true copies thereof shall bear the seal of the issuing authority as well as a signature and a serial number. The serial numbers of the Community licence and of the certified true copies shall be recorded in the national electronic register of road transport undertakings as part of the data relating to the haulier.

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

The Community licence shall be issued in the name of the haulier and shall be non-transferable. A certified true copy of the Community licence shall be kept in each of the haulier's vehicles and shall be presented at the request of any authorised inspecting officer.

In the case of a coupled combination of vehicles, the certified true copy shall accompany the motor vehicle. It shall cover the coupled combination of vehicles even where the trailer or semi-trailer is not registered or authorised to use the roads in the name of the licence holder or where it is registered or authorised to use the roads in another State.

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. 4 para. 2 Unnumbered Paragraph 3 repeal 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. 4 para. 4 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. 4 heading words substituted by S.I. 2019/708 reg. 13(5)(a)
- Art. 4(1)-(3) substituted by S.I. 2019/708 reg. 13(5)(b)
- Art. 4(4) words substituted by S.I. 2019/708 reg. 13(5)(c)(i)
- Art. 4(4) words substituted by S.I. 2019/708 reg. 13(5)(c)(ii)
- Art. 4(5) words substituted by S.I. 2019/708 reg. 13(5)(d)
- Art. 4(6) words substituted by S.I. 2019/708 reg. 13(5)(e)

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)