



European Union (Future Relationship) Act 2020

2020 CHAPTER 29

PART 2

TRADE AND OTHER MATTERS

Transport

23 Licences for access to the international road haulage market

In 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, for the model licence set out in Annex 2 (UK licence for the Community model) substitute the model licence set out in Part B of Appendix Road.A.1.3 to Annex Road-1 to the Trade and Cooperation Agreement.

24 International road haulage

- (1) The 2009 Regulation is amended in accordance with this section.
- (2) In Article 2(2) (meaning of “international carriage”), as amended by regulation 13(3) (b) of the 2019 regulations—
 - (a) in point (e), omit “or”;
 - (b) at the end of point (f), insert “; or
 - (g) a laden journey undertaken by a vehicle from the United Kingdom between two Member States which follows a journey referred to in point (a).”
- (3) In Article 8 (general principle of cabotage), as amended by regulation 13(9) of the 2019 regulations, in paragraph 2, for “three cabotage operations”, in each place it appears, substitute “two cabotage operations”.

(4) In this section—

“the 2009 Regulation” means 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;

“the 2019 regulations” means the Licensing of Operators and International Road Haulage (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/708).

25 Disclosure of data relating to drivers’ cards for tachographs

(1) The Secretary of State may disclose data from the GB electronic register in accordance with—

- (a) Article 13(2) of Section 2 of Appendix Road.C.1.1 to the Trade and Cooperation Agreement (interconnection and accessibility of electronic registers of data relating to drivers’ cards for tachographs), or
- (b) Article 13(4) of Section 2 of Appendix Road.C.1.1 to the Trade and Cooperation Agreement (access for control officers to electronic registers of data relating to drivers’ cards for tachographs).

(2) The Department for Infrastructure may disclose data from the NI electronic register in accordance with—

- (a) Article 13(2) of Section 2 of Appendix Road.C.1.1 to the Trade and Cooperation Agreement (interconnection and accessibility of electronic registers of data relating to drivers’ cards for tachographs), or
- (b) Article 13(4) of Section 2 of Appendix Road.C.1.1 to the Trade and Cooperation Agreement (access for control officers to electronic registers of data relating to drivers’ cards for tachographs).

(3) A disclosure under this section does not breach—

- (a) any obligation of confidence owed by the Secretary of State or the Department for Infrastructure, or
- (b) any other restriction on the disclosure of data (however imposed).

(4) Nothing in this section authorises the making of a disclosure which contravenes the data protection legislation (save that the power conferred by this section is to be taken into account in determining whether any disclosure contravenes that legislation).

(5) Nothing in this section limits the circumstances in which data may be disclosed under any other enactment or rule of law.

(6) In this section—

“GB electronic register” means any electronic register maintained by the Secretary of State in accordance with Article 13(1) of Section 2 of Appendix Road.C.1.1 to the Trade and Cooperation Agreement (maintenance of electronic registers of data relating to drivers’ cards for tachographs);

“NI electronic register” means any electronic register maintained by the Department for Infrastructure in accordance with Article 13(1) of Section 2 of Appendix Road.C.1.1 to the Trade and Cooperation Agreement (maintenance of electronic registers of data relating to drivers’ cards for tachographs).