



STATUTORY INSTRUMENTS.

**S.I. No. 506 of 2013**



EUROPEAN UNION (INTERNATIONAL MARKET FOR COACH AND  
BUS SERVICES) REGULATIONS 2013

## EUROPEAN UNION (INTERNATIONAL MARKET FOR COACH AND BUS SERVICES) REGULATIONS 2013

I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purposes of giving full effect to Regulation (EC) No. 1073/2009 of the European Parliament and of the Council of 21 October 2009<sup>1</sup>, hereby make the following regulations:

1. These Regulations may be cited as the European Union (International Market for Coach and Bus Services) Regulations 2013.

2. (1) In these Regulations—

“authorised inspecting officer” shall be read in accordance with Regulation 9;

“carrier” means a carrier for hire or reward of passengers by coach or bus;

“EU Regulation” means Regulation (EC) No. 1073/2009 of the European Parliament and of the Council of 21 October 2009<sup>1</sup>;

“Minister” means Minister for Transport, Tourism and Sport.

(2) A word or expression which is used in these Regulations and is also used in the EU Regulation has, unless the contrary is intended, the same meaning in these Regulations as it has in the EU Regulation.

3. A carrier established in another Member State who carries out international carriage of passengers in the State without holding a Community licence issued by the competent authority of the Member State where the carrier is established commits an offence.

4. A carrier who carries out a regular service in the State without holding an authorisation in respect of the service commits an offence.

5. A carrier who commits an offence under Regulation 3 or 4 is liable—

(a) on summary conviction, to a class A fine, or

(b) on conviction on indictment, to a fine not exceeding €200,000.

6. A carrier who—

(a) fails to comply with Article 11,

<sup>1</sup>OJ No. L300, 14.11.2009, p.88

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 27th December, 2013.*

- (b) fails to ensure that Article 12 of the EU Regulation is complied with,
- (c) fails to ensure a transport ticket is issued in accordance with Article 18, or
- (d) fails to allow, or obstruct, inspections to be carried out under Article 19(1) of the EU Regulation,

commits an offence and is liable on summary conviction to a class A fine.

7. Where—

- (a) a certified true copy of a Community licence is not kept in a vehicle of the carrier, or
- (b) an authorisation or control document issued to a carrier is not carried on a vehicle in the course of the operation of a regular service,

the carrier commits an offence and is liable on summary conviction to a class A fine.

8. The driver of a vehicle or a carrier who fails to present for inspection to an authorised inspecting officer at the request of the officer a certified true copy of the Community licence, authorisation or control document concerned, as the case may be, commits an offence and is liable on summary conviction to a class C fine.

9. The following are authorised inspecting officers for the purpose of enforcing the EU Regulation, namely—

- (a) a transport officer (within the meaning of section 16 of the Road Transport Act 2011 (No. 31 of 2011)),
- (b) an authorised officer of the National Transport Authority appointed under section 78 of the Dublin Transport Authority Act 2008 (No. 15 of 2008), and
- (c) a member of the Garda Síochána.

10. A person who—

- (a) obstructs or interferes with an authorised inspecting officer when exercising a power conferred on him or her under Article 18 or 19 of the EU Regulation, or
- (b) fails to comply with a requirement of such an officer under Article 19(2)(d) of the EU Regulation,

commits an offence and is liable on summary conviction to a class A fine.

11. A person who fails to present a transport ticket, provided under Article 18(1) of the EU Regulation issued to him or her, to an authorised inspecting

officer at the request of the officer commits an offence and is liable on summary conviction to a class D fine.

12. The Minister is the competent authority—

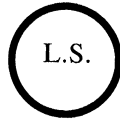
(a) to issue Community licences and certified true copies of them to carriers established in the State, and

(b) for the purposes of Articles 22 and 23 of the EU Regulation.

13. The National Transport Authority is the competent authority to issue authorisations and control documents and to authorise cabotage operations.

14. Proceedings for an offence under these Regulations may be brought summarily by the Minister (other than an offence under Regulation 4), the National Transport Authority (other than an offence under Regulation 3) or the Road Safety Authority.

15. The European Union (International Market for Coach and Bus Services) Regulations 2011 (S.I. No. 696 of 2011) are revoked.



GIVEN under my Official Seal,  
18 December 2013.

LEO VARADKAR,  
Minister for Transport, Tourism and Sport.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

The purpose of these Regulations is to give effect to Regulation (EC) No. 1073/2009 of the European Parliament and of the Council of 21 October 2009. This SI provides that:

- The competent authority for the purposes of Chapters III, IV and V of EU Regulation 1073 of 2009 will be the National Transport Authority.
- Proceedings for offences under this SI may be brought summarily by the National Transport Authority, the Minister and the Road Safety Authority.
- The European Union (International Market for Coach and Bus Services) Regulations 2011 (S.I. No. 696 of 2011) are revoked.

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