



STATUTORY INSTRUMENTS.

S.I. No. 698 of 2011



EUROPEAN UNION (INTERNATIONAL ROAD HAULAGE MARKET)
REGULATIONS 2011

(Prn. A11/2401)

EUROPEAN UNION (INTERNATIONAL ROAD HAULAGE MARKET)
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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. 1072/2009 of the European Parliament and of the Council of 21 October 2009¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (International Road Haulage Market) Regulations 2011.

2. (1) In these Regulations—

“EU Regulation” means Regulation (EC) No. 1072/2009 of the European Parliament and of the Council of 21 October 2009¹;

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

(2) A word or expression in 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. (1) A haulier established and authorised in another Member State may only carry out—

(a) international carriage in the State if the haulier possesses, a Community licence issued under the EU Regulation, and if the driver concerned is a national of a third country, in conjunction with a driver attestation under the EU Regulation, and

(b) cabotage operations in the State in accordance with Chapter III of the EU Regulation.

(2) A person who fails to comply with paragraph (1) commits an offence and is liable—

(a) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 6 months or to both, or

(b) on conviction on indictment, to a fine not exceeding €500,000 or to imprisonment for a term not exceeding 3 years or to both.

¹OJ No. L 300, 14.11.2009, p.72

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 3rd January, 2012.

4. Where the driver of a vehicle does not have in his or her vehicle a certified copy of the Community licence issued to the haulier concerned for presentation and inspection, the haulier commits an offence and is liable on summary conviction to a class B fine.

5. Proceedings for an offence under this Regulation may be brought summarily by the Minister or the Road Safety Authority of Ireland.

6. The Minister is the competent authority in the State to—

- (a) issue Community licences and certified copies to a haulier carrying goods for hire or reward who is established in the State,
- (b) issue driver attestation in accordance with Article 5 of the EU Regulation, and
- (c) sanction infringements in accordance with Articles 12 and 13 of the EU Regulation.

7. A transport officer (within the meaning of under 15(1) (inserted by section 117 of the Dublin Transport Authority Act 2008 (No. 15 of 2008) of the Road Transport Act 1986 (No. 16 of 1986)) is an authorised inspecting officer for the purpose of the EU Regulation.

8. The following are revoked:

- (a) the European Communities (International Carriage of Goods by Road) Regulations 1994 (S.I. No. 140 of 1994), and
- (b) the European Communities (International Carriage of Goods by Road) (Amendment) Regulations 1994 (S.I. No. 188 of 1994).



GIVEN under my Official Seal,
4 December 2011.

LEO VARADKAR,
Minister for Transport Tourism and Sport.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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CONTAE MHAIGH EO,
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