STATUTORY RULES OF NORTHERN IRELAND

2014 No. 180

ROAD TRAFFIC

The Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) Regulations (Northern Ireland) 2014

Made - - - -	*24th June 2014*
Coming into operation-	*25th July 2014*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 [F1].

The Department of the Environment has been designated for the purposes of section 2(2) of the European Communities Act 1972 relating to the carriage of passengers and goods by road [F2].

F1 1972 c.68
F2 S.R. 1996 No. 266

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) Regulations (Northern Ireland) 2014 and shall come into operation on 25th July 2014.

(2) In these Regulations—

"carrier" means a natural or legal person, other than a tour operator, travel agent or ticket vendor, offering transport by regular or occasional services to the general public and includes any natural or legal person other than the carrier, who actually performs the carriage wholly or partially;

"Regulation 181/2011" means Regulation (EU) No. 181/2011 [F3] of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No. 2006/2004[F4];

"the Department" means the **[**[F5]Department for Infrastructure**]** .

(3) The Interpretation Act (Northern Ireland) 1954 [F6] shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

F3 OJ L 55, 28.2.2011,P1–12

F4 OJ L 364, 9.12.2004, P1–11
F5 Words in reg. 1(2) substituted (18.2.2019) by The Road Traffic and Vehicles and Waterways (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/6), regs. 1(1), **18**
F6 1954 c.33 (N.I.)

Compliance and designation of Enforcement Body

2. For the purpose of Article 28(1) of Regulation 181/2011, the designated body responsible for the enforcement of Regulation 181/2011 as regards regular services from points within Northern Ireland and regular services from a **[**[F7]country other than the United Kingdom or a member State**]** to such points is the Department.

F7 Words in reg. 2 substituted (31.12.2020) by The Rights of Passengers in Bus and Coach Transport (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/141), regs. 1(1), **3(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Passenger Complaints

3.—(1) The designated body for the purpose of Article 28(3) of Regulation 181/2011 is the Department.

(2) A passenger shall send any complaint about an alleged contravention of Regulation 181/2011 by a carrier—

(a) in the first instance, to the carrier who is the subject of the complaint; or

(b) if the complaint is not resolved within 3 months of the date it was sent to the carrier, to the Department.

(3) A complaint in accordance with paragraph (2) shall be in writing.

Exemption of domestic bus and coach passenger regular services from the provisions of the Community Regulation

4.—(1) Subject to paragraph (2), Regulation 181/2011 does not apply to any domestic bus and coach passengers regular service during the **[**[F8]exemption period**]** .

(2) The exemption in paragraph (1) does not apply in relation to Articles 4(2), 9, 10(1), 16(1)(b) and (2), 17(1) and (2) and 24 to 28 (inclusive) of Regulation 181/2011.

(3) In this regulation—

"domestic bus and coach passenger regular service" means a regular service to which Regulation 181/2011 applies and which is operated exclusively within Northern Ireland by a carrier;

[[F9]"exemption period" means the period which commences on the date these Regulations come into operation and ends at midnight on 28th February 2021.**]**

[F10]...

F8 Words in reg. 4(1) substituted (31.7.2017) by The Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) (Amendment) Regulations (Northern Ireland) 2017 (S.R. 2017/127), regs. 1(1), **2(a)**
F9 Words in reg. 4(3) inserted (31.7.2017) by The Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) (Amendment) Regulations (Northern Ireland) 2017 (S.R. 2017/127), regs. 1(1), **2(b)(i)**