1979 No. 401

EUROPEAN COMMUNITIES
TRANSPORT

The European Communities (International Passenger Services) Regulations (Northern Ireland) 1979

Made . . . . . 14*th November* 1979

Coming into operation . . . 31*st December* 1979

The Department of the Environment, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to international carriage of passengers by road, in exercise of the powers conferred by that section, section 45(i) to (1) of the Transport Act (Northern Ireland) 1967(c) and section 61(1)(*p*) and (*q*) and (2) of the Road Traffic Act (Northern Ireland) 1970(d) and of all other enabling powers hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the European Communities (International Passenger Services) Regulations (Northern Ireland) 1979 and shall come into operation on 31st December 1979.

Amendment of S.R. & O. (N.I.) 1973 No. 212

2.—(1) The European Communities (International Passenger Services) Regulations (Northern Ireland) 1973(e) shall have effect subject to the following provisions of this Regulation.

(2) In Regulation 5 for the words "contravenes Council Regulation No. 117/66 by using" there shall be substituted the word "uses" and for the words "by causing or permitting" there shall be substituted the words "causes or permits".

(3) For Regulation 6 there shall be substituted the following Regulation—

"**6.** A person guilty of an offence under Regulation 5 shall be liable on summary conviction to a fine not exceeding £200.".

(4) In Regulation 8 in paragraph (1)(*a*)(iii) the words "where all the conditions specified in the proviso to Article 5(2) of the said Council Regulation are fulfilled" shall be omitted and for paragraph (2) there shall be substituted the following paragraph—

"(2) In relation to a vehicle to which this Regulation applies, the provisions of Part II of the Act of 1967 shall have effect—

(*a*) in so far as the vehicle is used to provide a service for the carriage of passengers such as is mentioned in paragraph 1(*a*) or 1(*b*) of Article 3 of Council Regulation No. 117/66 or paragraph 1(*c*) of

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(a) S.I. 1972/1811 (1972, III, p. 5216)
(b) 1972 c. 68
(c) 1967 c. 37 (N.I.)
(d) 1970 c. 2 (N.I.)
(e) S.R. & O. (N.I.) 1973 No. 212 (I, p. 1097)

the said Article 3 where all the conditions specified in the proviso to Article 5(2) of the said Council Regulation are fulfilled, as though section 4(1) to (3) and in section 4(4) the words "who acts in contravention of subsection (2) or" were omitted; and

(*b*) in so far as the vehicle is used to provide a service for the carriage of passengers such as is mentioned in the said paragraph 1(*c*) where any of the said conditions are not fulfilled, as though for section 4 there were substituted the following section—

'**4.**—(1) No person shall use a motor vehicle, or cause or permit a motor vehicle to be used, on a road to carry passengers and their luggage for reward unless there is in force and is carried on the vehicle an authorisation issued by the Department for the use of the vehicle for the carriage of passengers and their luggage in Northern Ireland.

(2) An authorisation under this section may authorise the use of the vehicle or vehicles to which it relates on a specified occasion or during a specified period.

(3) In this section "specified" means specified in the authorisation.'."

(5) After Regulation 8 there shall be inserted the following Regulation—

"**8A**—(1) This Regulation applies to a public service vehicle which is registered elsewhere than in Northern Ireland in so far as the vehicle—

(*a*) is used to provide a service for the carriage of passengers, being a service of a description such as is mentioned in Article 1 of Council Regulation No. 117/66 (that is to say, a regular service or a special regular service as defined in that Article) where the journey made by the vehicle in providing the service starts or finishes at a place situated in a country which is not a member State, and

(*b*) is so used by or on behalf of a person who is authorised, under the law of the country in which the vehicle is registered, to use the vehicle for the carriage of passengers on the journey in question or such parts thereof as are situated within that country.

(2) The provisions of Part II of the Act of 1967 shall, in relation to a vehicle to which this Regulation applies, have effect as though for section 4 there were substituted the following section—

'**4.**—(1) No person shall use a motor vehicle, or cause or permit a motor vehicle to be used, on a road to carry passengers and their luggage for reward unless there is in force and is carried on the vehicle an authorisation issued by the Department for the use of the vehicle for the carriage of passengers and their luggage in Northern Ireland.

(2) An authorisation under this section may authorise the use of the vehicle or vehicles to which it relates on a specified occasion or during a specified period.

(3) In this section "specified" means specified in the authorisation.'."

(6) In Regulation 14 for the words "twenty pounds" there shall be substituted the words "£200".

(7) After Regulation 14 there shall be inserted the following Regulation—

"**15.** In section 34 (forgery) and section 35 (false statements) of the Act of 1967 the references to a licence under Part II or Part III of that Act shall include references to—