1973. No. 200 [C]

EUROPEAN COMMUNITIES

Public Service Vehicles

REGULATIONS, DATED 14TH JUNE 1973, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 61(1)(*p*), (*q*) AND (2) OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs, on behalf of the Secretary of State, in exercise of the powers conferred on it by section 61(1)(*p*), (*q*) and (2) of the Road Traffic Act (Northern Ireland) 1970(**a**) as amended (**b**) and of all other enabling powers hereby makes the following Regulations:—

PART I

GENERAL

Citation and commencement

1. These Regulations may be cited as the European Communities (Public Service Vehicles) Regulations (Northern Ireland) 1973 and shall come into operation on 1st July 1973.

2. As from 1st July 1973 the Public Service Vehicles (International Circulation) Regulations (Northern Ireland) 1970(**c**) shall not apply to public service vehicles registered in a member State other than the United Kingdom or registered in Great Britain.

Interpretation

3.—(1) In these Regulations—

(*a*) the references to the following provisions, that is to say—
Council Regulation No. 117/66,
Commission Regulation No. 1016/68,
Council Regulation No. 516/72, and
Council Regulation No. 517/72,
are references, respectively, to the Community provisions more particularly described in the Schedule to these Regulations, being provisions which are directly applicable Community provisions relating to the international carriage of passengers by coach and bus and which apply in the United Kingdom on and after 1st July 1973;

(*b*) "member State" means any State which is a member of the European Economic Community;

(*c*) "the Act of 1970" means the Road Traffic Act (Northern Ireland) 1970;

(*d*) "authorised officer" has the same meaning as in section 58(4) of the Act of 1970;

(*e*) "public service vehicle" has the same meaning as in section 190(1) of the Act of 1970.

(2) The Interpretation Act (Northern Ireland) 1954(**d**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

(**a**) 1970. c. 2 (N.I.).
(**b**) S.R. & O. (N.I.) 1972, No. 359.
(**c**) S.R. & O. (N.I.) 1970, No. 325.
(**d**) 1954. c. 33.

Application of Part II

4. Part II of these Regulations applies in relation to a vehicle which is used for the international carriage of passengers by road in the circumstances mentioned in Article 4(1) of Council Regulation No. 117/66, that is to say, where—

(*a*) the place of departure is in the territory of a member State and the destination is in the territory of the same or another member State; and

(*b*) the vehicle is registered in a member State and in construction and equipment is suitable for carrying more than nine persons, including the driver, and is intended for that purpose.

PART II

MODIFICATIONS OF THE ACT OF 1970 IN RELATION TO CERTAIN VEHICLES, BEING PUBLIC SERVICE VEHICLES, WHEN USED FOR THE INTERNATIONAL CARRIAGE OF PASSENGERS

5.—(1) This Regulation applies to a public service vehicle (being a vehicle to which this Part of these Regulations applies) which is registered in a member State other than the United Kingdom or is registered in Great Britain, insofar as the vehicle—

(*a*) is used to provide any service for the carriage of passengers such as is mentioned in Article 1, 2 or 6 of Council Regulation No. 117/66; and

(*b*) is so used in accordance with such of the requirements of the Council Regulations or, as the case may be, the Commission Regulation mentioned in the Schedule to these Regulations as apply in relation to the service in question.

(2) In relation to a vehicle to which this Regulation applies, Part IV of the Act of 1970 shall have effect as though sections 53, 54 and 65 (which require public service vehicles and the drivers and conductors of such vehicles to be licensed) were omitted.

6.—(1) This Regulation applies to a public service vehicle (being a vehicle to which this Part of these Regulations applies) which is registered in a member State other than the United Kingdom or is registered in Great Britain—

(*a*) insofar as the vehicle is used to provide a service for the carriage of passengers such as is mentioned—

(i) in paragraph 1(*a*) of Article 3 of Council Regulation No. 117/66 (that is to say, an occasional service described in that paragraph as a closed door tour), or

(ii) in paragraph 1(*b*) of the said Article 3 (that is to say, an occasional service as described in that paragraph where passengers are carried on the outward journey and the return journey is made unladen), or

(iii) in paragraph 1(*c*) of the said Article 3 (that is to say, an occasional service, as mentioned in that paragraph, of any other description) where all the conditions specified in the proviso to Artcle 5(2) of the said Council Regulation are fulfilled; and