



STATUTORY INSTRUMENTS.

S.I. No. 318 of 2024

EUROPEAN UNION (INTERNATIONAL ROAD HAULAGE MARKET)
(AMENDMENT) REGULATIONS 2024

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purposes of giving further effect to Articles 462 and 463 of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part¹, which entered into force on 1 May 2021² approved, on behalf of the European Union, by Council Decision (EU) 2021/689 of 29 April 2021³, and to Regulation (EC) No. 1072/2009 of the European Parliament and of the Council of 21 October 2009⁴, hereby make the following regulations:

1. These Regulations may be cited as the European Union (International Road Haulage Market) (Amendment) Regulations 2024.

2. In these Regulations, “Principal Regulations” means the European Union (International Road Haulage Market) Regulations 2011 (S.I. No. 698 of 2011).

3. Regulation 2 of the Principal Regulations is amended –

(a) by the insertion of the following definitions:

“ ‘haulier’ includes road haulage operator within the meaning of Article 461 of the Trade and Cooperation Agreement;

‘Trade and Cooperation Agreement’ means the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part¹, which entered into force on 1 May 2021² approved, on behalf of the European Union, by Council Decision (EU) 2021/689 of 29 April 2021³;

‘United Kingdom’ means the United Kingdom of Great Britain and Northern Ireland;”, and

¹ OJ No. L149, 30.4.2021, p. 10-2539

² OJ No. L149, 30.4.2021, p. 2560

³ OJ No. L149, 30.4.2021, p. 2-9

⁴ OJ No. L 300, 14.11.2009, p. 72-87

(b) by the insertion of the following paragraph after paragraph (2):

“(3) A word or expression which is used in these Regulations and which is also used in the Trade and Cooperation Agreement has, unless the contrary is intended, the same meaning in these Regulations as it has in that Agreement.”.

4. The Principal Regulations are amended by the insertion of the following Regulation after Regulation 3:

“3A. (1) A haulier established and authorised in the United Kingdom may undertake, in the State, journeys specified in Article 462 of the Trade and Cooperation Agreement where he or she complies with that Article.

- (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.”.

5. Regulation 4 of the Principal Regulations is amended by the substitution of “a certified copy of the Community licence issued to the haulier concerned or, where Regulation 3A(1) applies to the haulier, a certified copy of a licence in accordance with Article 463 of the Trade and Cooperation Agreement issued to the haulier concerned, for presentation to, and inspection by, an authorised inspecting officer” for “a certified copy of the Community licence issued to the haulier concerned for presentation and inspection”.

6. Regulation 5 of the Principal Regulations is amended –

- (a) by the substitution of “under these Regulations” for “under this Regulation”, and
- (b) by the substitution of “the Minister, the Road Safety Authority of Ireland or the Garda Síochána.” for “the Minister or the Road Safety Authority of Ireland.”.

7. Regulation 7 of the Principal Regulations is amended by the substitution of “the EU Regulation and Articles 462 and 463 of the Trade and Cooperation Agreement” for “the EU Regulation”.



GIVEN under the Official Seal of the Minister for
Transport,
26 June, 2024.

EAMON RYAN,
Minister for Transport.

EXPLANATORY NOTE

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

This Statutory Instrument gives further effect to Articles 462 and 463 of the EU-UK Trade and Cooperation Agreement, which sets out the types, amount and frequency of journeys (transport of goods by road) that UK road haulage operators may undertake in the EU (including the State), and licensing requirements for operators. It also provides enforcement powers for the RSA and An Garda Síochána to enforce these provisions, including licensing and cabotage rules against UK operators while in the State.

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