



STATUTORY INSTRUMENTS.

S.I. No. 103 of 2025

EUROPEAN UNION (TRANSPORT OF PASSENGERS BY ROAD)
REGULATIONS 2025

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I, DARRAGH O'BRIEN, 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 purpose of giving full effect to Title II of Heading Three of Part Two (in so far as that Title applies to operations or services referred to in Paragraphs (2), (5), (6) and (7) of Article 475 of that Title) 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, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Transport of Passengers by Road) Regulations 2025.

(2) These Regulations shall come into operation on 1 April 2025.

2. These Regulations apply to operations providing transport of passengers by road under Paragraphs (2), (5), (6) and (7) of Article 475 of Title II of Heading Three of Part Two of the EU-UK Trade and Cooperation Agreement, in these Regulations referred to as “relevant operations”.

3. (1) In these Regulations:

“Act of 1986” means the Road Transport Act 1986;

“Act of 2008” means the Dublin Transport Authority Act 2008;

“Act of 2011” means the Road Transport Act 2011;

“authorisation” means an authorisation referred to in Article 477;

“authorised inspecting officer” means a person designated under Regulation 5 to be an authorised inspecting officer;

“authorised officer” means an authorised officer within the meaning of the Act of 2008;

“authorising authority” means the person or body designated in accordance with Regulation 4(1)(a) to be the authorising authority;

“Authority” means the National Transport Authority;

“book of journey forms” means a book of journey forms referred to in Article 483(3);

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

“competent authority” means the body designated under subparagraph (a), (b) or (c) of Regulation 4(1) to be a competent authority;

“EU-UK 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.

“Interbus Agreement” means the Agreement⁴ on the international occasional carriage of passengers by coach and bus (Interbus Agreement) which entered into force on 1 January 2003 approved on behalf of the European Communities by Council Decision 2002/917/EC of 3 October 2002;⁵

“public place” has the meaning assigned to it by the Road Traffic Act 1961;

“relevant operations” has the meaning assigned to it by Regulation 2;

“transport officer” means a transport officer within the meaning of, as the case may be, the Act of 1986 or the Act of 2011;

“transport operator” means a transport operator or road passenger transport operator referred to in Title II of Heading Three of Part Two of the EU-UK Trade and Cooperation Agreement.

(2) In these Regulations, a reference to a numbered Article without qualification is to an Article so numbered in Title II of Heading Three of Part Two of the EU-UK Trade and Cooperation Agreement.

(3) A word or expression that is used in these Regulations and which is also used in the EU-UK Trade and Cooperation Agreement has, unless the contrary intention appears, the same meaning in these Regulations as it has in the EU-UK Trade and Cooperation Agreement.

4. (1) For the purpose of these Regulations, in so far as they give full effect to an Article referred to in subparagraph (a), (b) or (c) and relate to the relevant operations –

- (a) (i) the Authority is designated as the competent authority for the purpose of Articles 476(2) and (7), 477 to 483, and,
- (ii) pursuant to Article 477(1) the Authority is designated to be the authorising authority within the meaning of that Article 477(1), for the purpose of the Articles referred to in clause (i),
- (b) the Authority is designated as the competent authority for the purpose of Article 476(5), in so far as it applies Article 9(2) of

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. L321, 26.11.2002, p. 13

⁵ OJ No. L321, 26.11.2002, p. 11

Section VI (Custom and Fiscal Provisions) of the Interbus Agreement to the relevant operations, and

- (c) the Revenue Commissioners are designated as the competent authority for the purpose of Article 476(5), in so far as it applies Article 9 (other than paragraph (2)) of Section VI (Custom and Fiscal Provisions) of the Interbus Agreement to the relevant operations.

(2) The Authority shall not be required to consider an application for an authorisation where –

- (a) the form of the application does not comply with Article 478(2), or
- (b) the road passenger transport operator applying for the authorisation fails to comply with Article 478(3).

5. Each of the following persons is designated to be an authorised inspecting officer for the purposes of these Regulations and the relevant operations:

- (a) a member of the Garda Síochána;
- (b) an authorised officer;
- (c) a transport officer.

6. (1) A member of the Garda Síochána may –

- (a) demand, of a person in charge of a vehicle in a public place which the member believes is being used for international regular and special regular services, the production to the member for his or her inspection of an authorisation for international regular and special regular services,
- (b) inspect and make extracts or copies of an authorisation produced to him or her under paragraph (a).

(2) A member of the Garda Síochána may –

- (a) demand, of a person in charge of a vehicle in a public place which the member believes is being used for international occasional services, the production to the member for his or her inspection of, as the case may be, a journey form or an authorisation;
- (b) inspect and make extracts or copies of a journey form or an authorisation produced to him or her under paragraph (a).

(3) Sections 78 and 79 of the Act of 2008 shall apply to an authorised officer designated to be an authorised inspecting officer under Regulation 5(b), as they apply to an authorised officer appointed under section 78 of the Act of 2008, subject to the following and any other necessary modifications:

- (a) a reference to an authorised officer in sections 78 and 79 of the Act of 2008 shall be construed as a reference to an authorised inspecting officer;
 - (b) a reference to a public transport authority or public transport operator in sections 78 and 79 of the Act of 2008 shall be construed as a reference to a transport operator.
- (4) (a) Sections 15(2), 16 and 16A of the Act of 1986 shall apply to a transport officer within the meaning of the Act of 1986 designated to be an authorised inspecting officer under Regulation 5(c) as they apply to a transport officer appointed under section 15 of the Act of 1986 subject to the following and any other necessary modifications:
- (i) a reference to a transport officer in section 15(2), 16 and 16A of the Act of 1986 shall be construed as a reference to an authorised inspecting officer;
 - (ii) a reference to “road transport” or “road transport operations” in section 16 or 16A of the Act of 1986 shall be construed as a reference to relevant operations.
- (b) Sections 16 and 17 of the Act of 2011 shall apply to a transport officer within the meaning of the Act of 2011 designated to be an authorised inspecting officer under Regulation 5(c) as they apply to a transport officer appointed under section 16 of the Act of 2011 subject to the following and any other necessary modifications:
- (i) a reference to a transport officer in sections 16 and 17 of the Act of 2011 shall be construed as a reference to an authorised inspecting officer;
 - (ii) a reference to a road transport operator shall be construed as a reference to a transport operator.
7. (a) A person who contravenes Article 475(8), 477(8), 481(1), 481(2), 481(4), 482(1), 482(2), 483(1), 483(2), 483(3) or 484, in so far as the Article or paragraph of the Article, relates to one or more relevant operation or relevant operations shall be guilty of an offence.
- (b) A person who contravenes paragraph (1) of Article 478 in so far as the paragraph of the Article relates to one or more relevant operation or relevant operations shall be guilty of an offence.
8. (a) A person guilty of an offence under Regulation 7(a) shall be liable, on summary conviction, to a class A fine.
- (b) A person guilty of an offence under Regulation 7(b) shall be liable, on summary conviction, to a class B fine.

9. A transport operator who, in contravention of Article 477(4), transfers an authorisation shall be guilty of an offence and shall be liable –

- (a) on summary conviction, to a class A fine, or
- (b) on conviction on indictment, to a fine not exceeding €200,000.

10. A person who carries out a relevant operation or relevant operations in the State without holding an authorisation, or, as the case may be, where the relevant operation is an operation referred to in paragraph (6) or (7) of Article 475, a journey form shall be guilty of an offence and shall be liable –

- (a) on summary conviction, to a class A fine, or
- (b) on conviction on indictment, to a fine not exceeding €200,000.

11. A person who in an application for an authorisation or book of journey forms provides information to the competent authority knowing it to be false or misleading shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine.

12. Summary proceedings for an offence may be brought, as the case may be, by –

- (a) the Authority, or
- (b) the Road Safety Authority.

13. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in such capacity, that person shall, as well as the body corporate, be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first mentioned offence.

14. The fees specified in column (3) of the Schedule shall be payable to the Authority in respect of the service specified in column (2) opposite the fee so specified.

15. The European Union (Transport of Passengers by Road) Regulations 2021 (SI 624 of 2021) are revoked.

Schedule

| Column (1) | Column (2) | Column (3) |
|-----------------------------|---|-------------------|
| Reference Number | Description of Service in so far as it relates to a relevant operation or relevant operations | Fee € |
| 1 | Authorisation application fee (Article 478(1)) | 100 |
| 2 | Authorisation issue fee (Authorisations issued under Article 477(1) for services referred to in Article 475) | 280 |
| 3 | Authorisation certified true copy – each copy fee (issued under Article 477(4) for services referred to in Article 475) | 10 |
| 4 | Authorisation renewal application fee (Article 480(1)) | 100 |
| 5 | Authorisation renewal issue fee (issued under Article 480) | 250 |
| 6 | Alteration of conditions application fee (Article 480(1)) | 50 |
| 7 | Book of Journey Forms fee (supplied under Article 483(3) for services referred to in Article 475) | 60 |

GIVEN under my Official Seal,
 1 April, 2025.

L.S.

DARRAGH O'BRIEN,
 Minister for Transport.

EXPLANATORY NOTE

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

These Regulations give effect to the Trade and Cooperation Agreement (TCA) between the European Union and European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, which entered into force on 1 May 2021 approved, on behalf of the European Union, by Council Decision (EU) 2021/689 of 29 April 2021, as regards certain provisions relating to the transport of passengers by road.

They provide for the designation of competent authorities and authorised inspecting officers for the purposes of the Regulations. The Regulations also provide for offences and related fines on summary conviction or conviction on indictment. Provision is also made for the charging of fees by the National Transport Authority in the context of their role as a competent authority under the Regulations.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

ISBN 978-1-3993-3727-4



€ 3.00

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