



STATUTORY INSTRUMENTS.

S.I. No. 102 of 2025

EUROPEAN UNION (PROTOCOL TO THE INTERBUS AGREEMENT)
REGULATIONS 2025

EUROPEAN UNION (PROTOCOL TO THE INTERBUS AGREEMENT)
REGULATIONS 2025

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 the Protocol¹ to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus which entered into force on 1 October 2024 approved on behalf of the European Communities by Council Decision² (EU) 2023/911 of 28 September 2021 hereby make the following regulations:

1. These Regulations may be cited as the European Union (Protocol to the Interbus Agreement) Regulations 2025.

2. (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 6(2);

“authorised inspecting officer” means a person designated under Regulation 4 to be an authorised inspecting officer;

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

“authorising authority” means the body designated in accordance with Regulation 3(2)(b) to be the authorising authority;

“Authority” means the National Transport Authority;

“competent authority” means the body designated under Regulation 3(1), 3(2)(a) or 3(3) to be a competent authority;

“Interbus Agreement” means the Agreement³ 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;⁴

“Minister” means Minister for Transport;

“Protocol to the Interbus Agreement” means the Protocol¹ to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus

¹ OJ No. L122, 05.05.2023 p.3

² OJ No. L 122, 05.05.2023 p.1

³ OJ No. L321, 26.11.2002, p. 13

⁴ OJ No. L321, 26.11.2002, p. 11

Agreement) regarding the international regular and special regular carriage of passengers by coach and bus which entered into force on 1 October 2024;

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

“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 the Protocol to the Interbus Agreement.

(2) In these Regulations a reference to a numbered Article without qualification is to an Article so numbered of the Protocol to the Interbus Agreement.

(3) A word or expression which is used in these Regulations and is also used in the Protocol to the Interbus Agreement has, unless the contrary intention appears, the same meaning in these Regulations that it has in the Protocol to the Interbus Agreement.

3. (1) The Authority is designated as the competent authority for the purpose of Article 7, in so far as it applies to Article 9(2) of the Interbus Agreement and Article 14, in so far as it relates to Article 9(2) of the Interbus Agreement as so applied by Article 7 and these Regulations in so far as they give full effect to those Articles.

(2) The Authority is designated –

- (a) as the competent authority for the purpose of Articles 6(2), 8 to 13 and 15 and Article 14 in so far as it relates to Articles 6(2), 8 to 13 and 15 and these Regulations in so far as they give full effect to those Articles, and
- (b) as the authorising authority for the purpose of Articles 6(2) and 8 to 12 and these Regulations in so far as they give full effect to those Articles.

(3) The Revenue Commissioners are designated as the competent authority for the purpose of Article 7 insofar as it applies to Article 9 (other than paragraph (2)) of the Interbus Agreement, and Article 14, in so far as it relates to Article 9 (other than paragraph (2)) of the Interbus Agreement as so applied by Article 7 and these Regulations in so far as they give full effect to those Articles.

(4) 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 9(2), or
- (b) the road passenger transport operator applying for the authorisation fails to comply with Article 9(3).

4. Each of the following persons is designated to be an authorised inspecting officer for the purposes of the Protocol to the Interbus Agreement and these Regulations:

- (a) a member of the Garda Síochána;

- (b) an authorised officer;
- (c) a transport officer.

5. (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 or special regular services, the production to the member for his or her inspection of an authorisation,
- (b) inspect and make extracts or copies of an authorisation produced to him or her under paragraph (a).

(2) Sections 78 and 79 of the Act of 2008 shall apply to an authorised officer designated to be an authorised inspecting officer under Regulation 4(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.
- (3) (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 4(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 international carriage of passengers within the scope of Article 1.
- (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 4(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.

6. (a) A person who contravenes Article 5, 8(9), 12(1), 12(2), 12(4), 13(1), 13(2), 15(1) or 15(2) shall be guilty of an offence.
(b) A person who contravenes Article 9(1) shall be guilty of an offence.
 7. (a) A person guilty of an offence under Regulation 6(a) shall be liable, on summary conviction, to a class A fine.
(b) A person guilty of an offence under Regulation 6(b) shall be liable, on summary conviction, to a class B fine.
8. A transport operator who, in contravention of Article 8(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.
9. A person who carries passengers in the State by means of international regular or special regular services without holding 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 in an application for an authorisation provides information to the authorising 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.
11. Summary proceedings for an offence may be brought, as the case may be, by –
- (a) the Authority, or
 - (b) the Road Safety Authority.
12. 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.

6 [102]

13. 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.

Schedule

Column (1)	Column (2)	Column (3)
Reference Number	Description of Service	Fee €
1	Authorisation application fee (Article 9)	100
2	Authorisation issue fee (Authorisations in accordance with Articles 8 and 10 for services referred to in Article 6)	280
3	Authorisation certified true copy - each copy fee (issued under Article 8 for services referred to in Article 6)	10
4	Authorisation renewal application fee (issued under Article 11)	100
5	Authorisation renewal issue fee (issued under Article 11)	250
6	Alteration of conditions application fee (issued under Article 11)	50

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 Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus which entered into force on 1 October 2024, approved on behalf of the European Communities by Council Decision (EU) 2023/911 of 28 September 2021.

The Regulations operationalise Ireland's commitments under the Protocol. 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.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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 978-1-3993-3726-7



€ 3.00

9 781399 337267 >