

## Transport: Third Country Bus Services

### *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019*

#### Most relevant to

- Bus companies with services in Ireland and their customers.



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An EU Regulation sets common rules for access to the international market for bus services. There are also a number of international agreements, including the Interbus agreement between the EU, Albania, Bosnia and Herzegovina, Macedonia, Montenegro, Moldova, Turkey and Ukraine. The UK has indicated its intention to join the Interbus Agreement in its own right.

#### What does the Act say?

Failing that, the Act gives the Minister for Transport, Tourism and Sport broad powers to exempt vehicles engaging in international carriage from any licencing requirement, when he is of opinion that there is a real risk of disruption to international carriage of passengers by road, and that such an exemption is necessary to ensure continuation of existing services. Alternatively, he can order that a third country licence be deemed to be an international (EU) road passenger operator's licence.

Ireland's National Transport Authority (NTA) regulates bus and coach services. The Act adds a new Part to the Public Transport Regulation Act 2009. It provides for authorisation of bus services provided under: (a) bilateral agreements with third countries or (b) existing reciprocal or other arrangements with third countries with similar arrangements for authorising bus services, which are in effect when the Act comes into law. But this limb (b) will cease to apply to the UK three months after Brexit.

Under the new part, third countries services must be authorised by: (a) the NTA, (b) the relevant body in the third country after giving the NTA notice, or (c) the relevant body in the third country under existing similar arrangements in force when the Act comes into law. Again, this limb (c) will cease to apply to the UK three months after Brexit.

Two weeks after a country joins the Interbus Agreement this new Part will cease to apply to it.

#### Railways

The Act's General Scheme included provision for regulation of railways crossing the EU borders. This has been dropped. On 14 March 2019 the EU Council Secretariat recommended accepting the European Parliament's amendments to a proposed Regulation dealing with the two railways linking the EU and the UK. The proposed Regulation would extend existing authorisations as far as Dundalk and Calais-Fréthun, for nine months from date of a no-deal Brexit.