

Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (recast) (Text with EEA relevance)

CHAPTER VI

CONTROLS AND PENALTIES

Article 18

Transport tickets

1 Carriers operating a regular service, excluding special regular services, shall issue either individual or collective transport tickets indicating:

- a the points of departure and arrival and, where appropriate, the return journey;
- b the period of validity of the ticket;
- c the fare of transport.

2 The transport ticket provided for in paragraph 1 shall be presented at the request of any authorised inspecting officer.

Article 19

Inspections on the road and in undertakings

1 The authorisation or control document shall be carried on the vehicle and shall be presented at the request of any authorised inspecting officer.

2 Carriers operating international carriage of passengers by coach and bus shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods. In the context of the implementation of this Regulation, authorised inspecting officers shall be empowered to:

- a check the books and other documentation relating to the operation of the transport undertaking;
- b make copies of, or take extracts from, the books and documentation on the premises;
- c have access to all the transport undertaking's premises, sites and vehicles;
- d require the production of any information contained in books, documentation or data bases.

Article 20

Mutual assistance

Member States shall assist one another in ensuring the application and monitoring of this Regulation. They shall exchange information via the national contact points established pursuant to Article 18 of Regulation (EC) No 1071/2009.

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 21

Withdrawal of Community licences and authorisations

1 The competent authorities of the Member State where the carrier is established shall withdraw the Community licence where the holder:

- a no longer satisfies the conditions laid down in Article 3(1); or
- b has supplied inaccurate information concerning the data which were required for the issue of the Community licence.

2 The authorising authority shall withdraw an authorisation where the holder no longer fulfils the conditions on the basis of which the authorisation was issued under this Regulation, in particular where the Member State in which the carrier is established so requests. That authority shall immediately inform the competent authorities of the Member State concerned.

Article 22

Sanctioning of infringements by the Member State of establishment

1 In the event of a serious infringement of Community road transport legislation committed or ascertained in any Member State, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision without authorisation of parallel or temporary services, as referred to in the fifth subparagraph of Article 5(1), the competent authorities of the Member State of establishment of the carrier who committed the infringement shall take appropriate action, which may include a warning if provided for by national law, to pursue the matter. This may lead, inter alia, to the imposition of the following administrative penalties:

- a the temporary or permanent withdrawal of some or all of the certified true copies of the Community licence;
- b the temporary or permanent withdrawal of the Community licence.

These penalties may be determined after the final decision on the matter has been taken and shall have regard to the seriousness of the infringement committed by the holder of the Community licence and to the total number of certified true copies of that licence held in respect of international traffic.

2 The competent authorities of the Member State of establishment shall communicate to the competent authorities of the Member State in which the infringements were ascertained, as soon as possible and at the latest within 6 weeks of their final decision on the matter, which, if any, of the penalties provided for in paragraph 1 have been imposed.

If such penalties are not imposed, the competent authorities of the Member State of establishment shall state the reasons therefor.

3 The competent authorities shall ensure that the penalties imposed on the carrier concerned are, as a whole, proportionate to the infringement or infringements which gave rise to such penalties, taking into account any penalty for the same infringement imposed in the Member State in which the infringement was ascertained.

4 This Article is without prejudice to the possibility of the competent authorities of the Member State of establishment of the carrier instituting proceedings before a national court or tribunal. In the event that such proceedings are brought, the competent authority in question

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

shall inform the competent authorities of the Member States in which the infringements were ascertained thereof.

5 Member States shall ensure that carriers have the right to appeal against any administrative penalty imposed on them pursuant to this Article.

Article 23

Sanctioning of infringements by the host Member State

1 Where the competent authorities of a Member State are aware of a serious infringement of this Regulation or of Community road transport legislation attributable to a non-resident carrier, the Member State within the territory of which the infringement is ascertained shall transmit to the competent authorities of the carrier's Member State of establishment, as soon as possible and at the latest within 6 weeks of their final decision, the following information:

- a a description of the infringement and the date and time when it was committed;
- b the category, type and seriousness of the infringement; and
- c the penalties imposed and the penalties executed.

The competent authorities of the host Member State may request that the competent authorities of the Member State of establishment impose administrative penalties in accordance with Article 22.

2 Without prejudice to criminal prosecution, the competent authorities of the host Member State may impose penalties on non-resident carriers who have committed infringements of this Regulation or of national or Community road transport legislation in their territory on the occasion of a cabotage operation. The penalties shall be imposed on a non-discriminatory basis and may, inter alia, consist of a warning, or, in the event of a serious infringement, a temporary ban on cabotage operations within the territory of the host Member State where the infringement was committed.

3 Member States shall ensure that carriers have the right to appeal against any administrative penalty imposed on them pursuant to this Article.

Article 24

Entry in the national electronic registers

Member States shall ensure that serious infringements of Community road transport legislation attributable to carriers established in their territory, which have led to the imposition of a penalty by any Member State, as well as any temporary or permanent withdrawal of the Community licence or of the certified true copy thereof are recorded in the national electronic register of road transport undertakings. Entries in the register which concern a temporary or permanent withdrawal of a Community licence shall remain in the database for at least 2 years from the time of the expiry of the period of withdrawal, in the case of temporary withdrawal, or from the date of withdrawal, in the case of permanent withdrawal.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 1073/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/741 reg. 5(22)
- Annex 1 omitted by S.I. 2019/741 reg. 5(23)
- Annex 2 omitted by S.I. 2019/741 reg. 5(23)
- Art. 2(1)(a) words inserted by S.I. 2019/741 reg. 5(3)(a)(i)
- Art. 2(1)(b) words inserted by S.I. 2019/741 reg. 5(3)(a)(iii)(aa)
- Art. 2(1)(b) words inserted by S.I. 2019/741 reg. 5(3)(a)(iii)(bb)
- Art. 2(1)(c) word omitted by S.I. 2019/741 reg. 5(3)(a)(iv)(bb)
- Art. 2(1)(c) words inserted by S.I. 2019/741 reg. 5(3)(a)(iv)(aa)
- Art. 2(1)(d) words inserted by S.I. 2019/741 reg. 5(3)(a)(vi)
- Art. 2(1)(aa) inserted by S.I. 2019/741 reg. 5(3)(a)(ii)
- Art. 2(1)(cc) inserted by S.I. 2019/741 reg. 5(3)(a)(v)
- Art. 2(6) omitted by S.I. 2019/741 reg. 5(3)(b)
- Art. 2(7) word inserted by S.I. 2019/741 reg. 5(3)(c)(i)(cc)
- Art. 2(7) word omitted by S.I. 2019/741 reg. 5(3)(c)(i)(aa)
- Art. 2(7) word omitted by S.I. 2019/741 reg. 5(3)(c)(i)(dd)
- Art. 2(7) words inserted by S.I. 2019/741 reg. 5(3)(c)(i)(bb)
- Art. 2(7) words substituted by S.I. 2019/741 reg. 5(3)(c)(ii)
- Art. 2(8) words inserted by S.I. 2019/741 reg. 5(3)(d)
- Art. 2(9)-(11) inserted by S.I. 2019/741 reg. 5(3)(e)
- Art. 3(1)(a) word substituted by S.I. 2019/741 reg. 5(4)(a)(ii)(aa)
- Art. 3(1)(a) words inserted by S.I. 2019/741 reg. 5(4)(a)(ii)(bb)
- Art. 3(1)(c) words inserted by S.I. 2019/741 reg. 5(4)(a)(iii)
- Art. 3(2)(a) word substituted by S.I. 2019/741 reg. 5(4)(b)(i)(aa)
- Art. 3(2)(a) words inserted by S.I. 2019/741 reg. 5(4)(b)(i)(bb)
- Art. 3(2)(b) words inserted by S.I. 2019/741 reg. 5(4)(b)(ii)
- Art. 8(4)(b) words inserted by S.I. 2019/741 reg. 5(9)(b)(i)
- Art. 8(4)(d) words inserted by S.I. 2019/741 reg. 5(9)(b)(ii)(bb)
- Art. 8(4)(d) words omitted by S.I. 2019/741 reg. 5(9)(b)(ii)(dd)
- Art. 8(4)(d) words substituted by S.I. 2019/741 reg. 5(9)(b)(ii)(aa)
- Art. 8(4)(d) words substituted by S.I. 2019/741 reg. 5(9)(b)(ii)(cc)
- Art. 8(4)(e) word substituted by S.I. 2019/741 reg. 5(9)(b)(iii)(cc)
- Art. 8(4)(e) words substituted by S.I. 2019/741 reg. 5(9)(b)(iii)(aa)
- Art. 8(4)(e) words substituted by S.I. 2019/741 reg. 5(9)(b)(iii)(bb)
- Art. 15(c) words substituted by S.I. 2019/741 reg. 5(15)