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#### Dear Peter

I am writing to inform you about upcoming changes that will come into effect from 1 April 2025 for UK-based coach and bus operators that run international coach and bus services.

### This letter outlines:

- the significance of the Regular and Special Regular (RSR) Protocol for UK bus/coach operators;
- arrangements that will remain in place such as those for crossborder services on the island of Ireland;
- what will happen with existing authorisations;
- clarity on key topics such as cabotage and non-liberalised occasional services; and
- links to relevant guidance.

As a trade association for the UK bus and coach industry we kindly ask that you disseminate this letter to your members as soon as possible before 1 April 2025.

The basis of the UK's market access arrangements (i.e. the types of movements bus and coach operators can undertake internationally) following EU-exit sits across three key agreements: the Interbus Agreement, the Road Passenger Transport (RPT) Chapter of the UK-EU

Trade and Cooperation Agreement (TCA), and (from 1 April 2025) the RSR Protocol to the Interbus Agreement.

The TCA contains temporary arrangements for regular (i.e. timetabled services with fixed stopping points) and special regular (i.e. regular services for specific groups such as school children) services on a temporary basis. These provisions were intended to bridge the gap until the RSR Protocol came into force for the EU and the UK. The Protocol came into force for the EU in October 2024, and it will come into force for the UK on 1 April 2025. We have made legislative changes to reflect this shift from the TCA to the RSR Protocol, which will come into effect at the same time.

#### RSR Protocol

We anticipate minimal, if any, disruption resulting from this change. This is because the RSR Protocol's international market access arrangements (i.e. the types of movements bus and coach operators can undertake internationally) largely replicate the temporary arrangements currently in place between the UK and the EU under the TCA. The basis of these arrangements will shift from the TCA to the RSR Protocol for RSR services from 1 April 2025. Some provisions will remain within the TCA, as outlined below.

A benefit of the UK's RSR Protocol membership is that, from 1 April 2025, UK coach operators will be able to run authorised RSR services to and from other RSR Protocol member countries including and beyond the EU. So far, the EU, Albania, Bosnia & Herzegovina and Moldova are RSR Protocol member countries. It will also come into effect for Ukraine on 1 May 2025. Operators from these countries will also be able to run authorised RSR services to and from the UK.

# TCA permanent provisions

There are four permanent TCA arrangements which will remain in place after 1 April 2025. These arrangements are specific to the UK-EU relationship, and do not extend to other RSR Protocol member countries. These relate to the following cross-border services on the island of Ireland:

1. For RSR services running between Northern Ireland and Ireland, an operator established in one Party (i.e. either the UK or EU) is

permitted to undertake cabotage, enabling an operator established in the territory of one Party to pick up and set down passengers in the territory of the other Party. For example, a UK operator may undertake an authorised regular or special regular service which picks up and sets down passengers in Dublin.

- 2. RSR services starting in one Party (again, either the UK or EU) may transit through the territory of the other Party to reach another part of territory of the same Party that it started from. For example, this would permit an RSR service from Great Britain to transit through Ireland to reach Northern Ireland.
- 3. Operators established in the territory of one Party may operate occasional services on the island of Ireland, which pick up and set down passengers on the territory of the other Party. For example, a UK operator may undertake a coach tour on the island of Ireland, picking up and setting down passengers in Ireland.
- 4. Occasional services may transit through the territory of one Party (i.e. either the UK or EU) to a non-Contracting Party to Interbus. For example, UK operators running occasional services may transit through the EU to reach Switzerland.

# **RSR Authorisation process**

The process to apply for an authorisation to run RSR services will remain largely unchanged, with applications to be submitted to the Driver Vehicle Standards Agency (DVSA) for GB-based operators. Operators established in Northern Ireland should submit their applications to the Driver and Vehicle Agency (DVA), the responsible authority in Northern Ireland.

Some RSR services will be authorised under the arrangements of the RSR Protocol. Other services covered under the arrangements of the TCA, including for services on the island of Ireland, will have separate application forms. These forms will be accessible via the GOV.UK guidance page linked below.

The Department for Transport has agreed a common understanding with the EU regarding existing RSR authorisations authorised under the TCA. These authorisations will remain in effect for their period of validity even after the RSR Protocol comes into force on 1 April 2025.

## Cabotage

## UK operators

UK operators are <u>not</u> permitted to undertake international passenger transport services involving cabotage in the EU or other Interbus Agreement and/or RSR Protocol member countries. This has been the case since EU exit under the TCA and Interbus Agreement rules and will continue to apply once the RSR Protocol comes into effect for the UK. Below are examples of what would constitute cabotage as a reminder.

For RSR services, this means a UK operator cannot both start *and* end a regular service in the EU, or another Interbus Agreement Contracting Party. Therefore, UK operators must start *or* finish their regular services in the UK, but can pick up and drop off passengers at the fixed stopping points along the authorised route and start *or* end that journey in the EU.

For occasional services, this means a UK operator cannot both start *and* end an occasional service within the EU or other Interbus Agreement Contracting Parties. For example, a UK operator would not be permitted to drive an empty coach to the EU to collect a fixed group of passengers to take the group on a multi-stop coach tour in the EU before the passengers are returned to a destination within the EU, with the empty coach then returning to its UK base.

## International operators

Changes to UK legislation to bring the RSR Protocol into force for the UK on 1 April 2025 will also result in changes to cabotage rules for EU bus and coach operators. This means, from 1 April 2025, EU bus and coach operators will no longer be able to run cabotage services in the UK, be that occasional, regular or special regular services.

For example, an EU operator will not be permitted to drive an empty coach to the UK to collect a fixed group of passengers to take the group on a multi-stop coach tour in the UK before the passengers are returned to a destination within the UK, with the empty coach then returning to its EU base.

Operators established in other Interbus Agreement and/or RSR Protocol Contracting Parties (i.e. beyond the EU) are not permitted to run services involving cabotage in the UK under Interbus and RSR Protocol rules. Cabotage is also not permitted in other countries with which the UK has separate bilateral agreements. This cabotage prohibition applies

to all types of international coach or bus service, be that occasional, regular or special regular services.

### Occasional services

There will be no change to the way occasional services are run, and the Confederation of Passenger Transport (CPT) will remain the responsible authority for issuing the required documentation for liberalised occasional services which require either an Interbus Journey Form or TCA Transit Form.

We are aware of confusion regarding non-liberalised occasional services. For clarity, these types of services, which are not covered under the Interbus Agreement or TCA, require authorisations. The DVSA is the responsible authority for managing applications for this type of service. Further guidance can be found at the gov.uk website below.

#### **Useful links**

- Find GOV.UK guidance via this link: <a href="https://www.gov.uk/guidance/run-international-bus-or-coach-services-and-tours">https://www.gov.uk/guidance/run-international-bus-or-coach-services-and-tours</a>
- A copy of the RSR Protocol and a document explaining the purpose of the RSR Protocol treaty, known as an Explanatory Memorandum, can be found using the following link: <a href="https://www.gov.uk/government/publications/protocol-to-interbus-agreement-with-agreement-and-decision-ms-no102024">https://www.gov.uk/government/publications/protocol-to-interbus-agreement-with-agreement-and-decision-ms-no102024</a>
- The Road Transport (International Passenger Service) (Amendment)
  Regulations 2024, including the legislation's Explanatory
  Memorandum, can be found here:
  <a href="https://www.legislation.gov.uk/uksi/2024/1370/contents/made">https://www.legislation.gov.uk/uksi/2024/1370/contents/made</a>

Yours sincerely,

Amanda Lane International Team lead Freight and Borders Directorate