

## **Operating bus or coach services abroad if there's no Brexit deal**

### **Summary**

How UK bus and coach companies and drivers would be affected if the UK leaves the EU with no deal.

### **Detail**

If the UK leaves the EU in March 2019 without a deal, find out how this would affect UK bus and coach operators and drivers.

See also:

- [Driving in the EU if there's no Brexit deal](<https://www.gov.uk/government/publications/driving-in-the-eu-if-theres-no-brexit-deal/driving-in-the-eu-if-theres-no-brexit-deal>)
- [Vehicle insurance if there's no Brexit deal](ADD WEBLINK)
- [Trading with the EU if there's no Brexit deal](<https://www.gov.uk/government/publications/trading-with-the-eu-if-theres-no-brexit-deal/trading-with-the-eu-if-theres-no-brexit-deal>)

A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.

Negotiations are progressing well and both we and the EU continue to work hard to seek a positive deal. However, it's our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.

For two years, the government has been implementing a significant programme of work to ensure the UK will be ready from day 1 in all scenarios, including a potential 'no deal' outcome in March 2019.

It has always been the case that as we get nearer to March 2019, preparations for a no deal scenario would have to be accelerated. Such an acceleration does not reflect an increased likelihood of a 'no deal' outcome. Rather it is about ensuring our plans are in place in the unlikely scenario that they need to be relied upon.

This series of technical notices sets out information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.

This guidance is part of that series.

Also included is an [overarching framing notice](<https://www.gov.uk/government/publications/uk-governments-preparations-for-a-no-deal-scenario>) explaining the government's overarching approach to preparing the UK for this outcome in order to minimise disruption and ensure a smooth and orderly exit in all scenarios.

We are working with the devolved administrations on technical notices and we will continue to do so as plans develop.

## **Purpose**

This notice provides guidance for UK bus and coach operators on the implications for access to EU markets in the unlikely scenario that the UK leaves the EU in March 2019 with no agreement in place.

## **Before 29 March 2019**

Currently UK bus and coach operators carrying out international journeys must hold a [Standard International Operator's Licence](<https://www.gov.uk/guidance/international-authorisations-and-permits-for-road-haulage#standard-international-operators-licence-for-road-transport>), along with a [Community Licence](<https://www.gov.uk/guidance/international-authorisations-and-permits-for-road-haulage#community-licences-and-road-haulage-permits>) for journeys to and from the EU.

The Community Licence gives carriers access to international journeys 'for hire or reward' (carrying passengers in return for payment) for operations in the EU. This includes:

- [regular services](<https://www.gov.uk/guidance/overseas-bus-and-coach-services-how-to-apply-for-authorisation#regular-services>) (scheduled services)
- [special regular services](<https://www.gov.uk/guidance/overseas-bus-and-coach-services-how-to-apply-for-authorisation#special-regular-services>) (such as cross-border home-to-school travel)

- [occasional services](<https://www.gov.uk/guidance/overseas-bus-and-coach-services-how-to-apply-for-authorisation#occasional-services>) (such as school trips and coach holidays)

Regular services are subject to an authorisation process.

Operators may also carry out limited [cabotage](<https://www.gov.uk/guidance/overseas-bus-and-coach-services-how-to-apply-for-authorisation#cabotage>) (carriage of passengers within a country by a foreign operator) in some circumstances – for example, as part of an international regular journey.

The UK also participates in the [Interbus Agreement] (<http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=647>), because the EU as a whole is a member. This agreement allows bus and coach operators to carry out occasional services between the participating countries. In addition to the EU countries there are 7 eastern European members: Albania, Bosnia-Herzegovina, Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Turkey and Ukraine.

It is planned that Interbus will be extended to also provide for regular and special regular services, but this has not taken effect yet. Unlike the EU rules, the Interbus Agreement does not permit any cabotage.

Drivers are currently required to hold a Certificate of Professional Competence (CPC). Certificates issued in the UK are currently recognised across the EU, allowing drivers to operate without the need for an additional qualification.

The rules on documentation and qualifications outlined above also apply to the EEA states (Liechtenstein, Iceland and Norway) and Switzerland.

### **After March 2019 if there's no deal**

#### **Community licences and market access**

If there's no deal, UK bus and coach operators could no longer rely on automatic recognition by the EU of UK-issued Community Licences. EU countries may choose to recognise that UK-issued operator licences and associated authorisations are based on the same standards as EU Community Licences and not require further authorisations. This would ensure continued passenger movement, but cannot be guaranteed.

The UK's participation in the Interbus Agreement by virtue of EU membership would also cease to have effect. However, the UK intends to re-join Interbus as an independent member and to have this in place for 29 March 2019, or as soon as possible thereafter should this prove necessary. This would enable UK operators to run occasional services into the EU. It cannot be guaranteed at this stage that the agreement would be extended to cover regular services, or if it is extended, whether that would come into force before 29 March 2019.

## **Driving Licences**

Due to the UK's ratification of the 1968 Vienna Convention on Road Traffic (which will come into force on 28 March 2019) and the 1949 Geneva Convention on Road Traffic, UK drivers would continue to be able to drive in all EU countries after we have left. This may however require the correct [International Driving Permit](<https://www.gov.uk/government/publications/driving-in-the-eu-if-theres-no-br-exit-deal/driving-in-the-eu-if-theres-no-brexiteal>) to be obtained before departure and carried whilst driving for both commercial and private purposes in the EU.

## **Certificate of Professional Competence**

The UK will maintain a CPC scheme. EU-issued CPC documentation will be recognised in the UK after we leave the EU. This includes both transport manager CPCs and driver CPCs.

If there is no deal, automatic recognition by EU countries of UK-issued CPC would cease. When we join the Interbus Agreement, UK bus and coach drivers holding a UK CPC would be able to drive for work in the EU.

If there is any delay to the UK joining Interbus (for example, if there is a time gap between 29 March 2019 and Interbus coming into force) then, as with Community Licences, EU countries may choose to continue to recognise UK-issued CPC in practice, but this cannot be guaranteed.

UK legislation will continue to comply with the requirements of the ECMT Quality Charter and the separate European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR).

To drive for EU operators, drivers currently holding a UK-issued CPC would need to hold a CPC issued by an EU country.

For wider information on this and other issues related to employing EU workers, a technical notice on EU citizens in the UK will be published soon.

## **What you would need to do**

### **Access to the EU market**

In a no deal scenario, UK operators may be unable to access the EU. The risk of this happening differs by the type of coach service involved.

The UK intends to join the Interbus Agreement as an independent member and the UK government is already taking the necessary steps to ensure that this happens once we cease to be a member through the EU. In its current form the agreement will provide access for occasional services in the EU by UK operators, so coach holidays and tours would be able to continue. Requirements on operators would be largely the same as the current EU rights – for example, a waybill would need to be carried. Unlike the EU rules, Interbus does not allow cabotage, so a UK operator would not be able to undertake work entirely within the EU.

UK accession to Interbus would also provide continuity in current access rights to the eastern European (non-EU) contracting parties for UK operators.

There is a greater risk of UK operators being unable to run regular services into the EU. This is because the proposed extension of Interbus to also cover regular services has not yet taken effect. If regular service running rights are included in time for 29 March 2019, or they are included at a later date, operators should note that cabotage (a UK operator picking up and dropping off the same passengers within the EU) would not be permitted under Interbus regular service rights.

The government considers the likelihood of failing to achieve UK membership of Interbus by 29 March 2019, or very soon thereafter, to be low. But if this occurs for any reason, it would be likely that no UK operators would be able to take coach services into the EU at least in the short term. To mitigate against the risk of anything but the smallest gap in access rights, the UK would seek to put in place bilateral agreements with EU countries at the earliest opportunity to provide bus and coach access to the EU; the timing for this cannot be guaranteed.

UK operators who are taking travel bookings which involve coach travel in Europe after 29 March 2019 may wish to consider contractual terms with their customers that allow them to subcontract all or part of the coach travel to EU-based operators if necessary.

In order to minimise any potential disruption to passengers in that scenario, the UK will permit EU buses and coaches to continue bringing passengers into and out of the UK. This will ensure, for example, that EU tourists and students would not be stopped from visiting the UK if there is any delay to joining the Interbus Agreement.

EU operators wanting to run regular coach services into the UK would need to apply to the UK for an authorisation, replacing the current system where they would apply through a body in their home country.

## **Driver CPC**

Little will change in practice regarding [how UK drivers can obtain their CPC certification](<https://www.gov.uk/driver-cpc-training>). The government is putting in place a CPC scheme to reflect the fact that we will have left the EU, but we have no immediate plans to change any of the standards that drivers have to meet and existing CPC qualifications will continue to be valid.

The UK will continue to recognise the EU CPC for EU drivers, including EU drivers working for UK businesses.

In a no deal scenario, possession of a UK-issued CPC would in practice continue to allow a UK driver to drive a UK bus or coach in the EU under the Interbus Agreement when the UK has joined as an independent member. However, if UK CPC is not formally recognised in future by the EU, UK drivers wishing to work for an EU operator may need to acquire a new CPC qualification issued by an EU country.

Before March 2019 hauliers with a UK CPC who wish to swap to an EU CPC can exchange their CPC. To do this you should apply to the relevant body in the EU country you wish to issue the CPC.

## **Borders and traffic management**

There are likely to be new requirements at borders with the EU if we leave without a deal, and there could be impacts for coaches using EU ports.

In the event of delays, caused by increased checks at EU ports, the UK government would implement contingency arrangements to manage the flow of traffic. Further communications will be issued in the autumn.

## **More information**

This is not a standalone notice and bus and coach operators should read other relevant notices, including:

- [Driving in the EU if there's no Brexit deal](<https://www.gov.uk/government/publications/driving-in-the-eu-if-theres-no-brexit-deal/driving-in-the-eu-if-theres-no-brexit-deal>)
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We will publish more information in the coming months. We aim to give businesses and individuals as much certainty as possible as soon as we can, and to ensure that any new requirements are not unduly burdensome.

This notice is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

It is part of the government's on-going programme of planning for all possible outcomes. We expect to negotiate a successful deal with the EU.

The UK government is clear that in this scenario we must respect our unique relationship with Ireland, with whom we share a land border and who are co-signatories of the [Belfast Agreement](</government/admin/publications/139807>). The UK government has consistently placed upholding the agreement and its successors at the heart of our approach. We recognise the basis it has provided for the deep economic and social cooperation on the island of Ireland. This includes north-south cooperation between Northern Ireland and Ireland, which we are committed to protecting in line with the letter and spirit of strand two of the agreement.

The Irish government have indicated they would need to discuss arrangements in the event of no deal with the European Commission and EU member states. The UK would stand ready in this scenario to engage constructively to meet our commitments and act in the best interests of the people of Northern Ireland, recognising the very significant challenges that the lack of a UK-EU legal agreement would pose in this unique and highly sensitive context.

It remains, though, the responsibility of the UK government to continue preparations for the full range of potential outcomes, including no deal. As we do, and as decisions are made, we will take full account of the unique circumstances of Northern Ireland.

Norway, Iceland and Liechtenstein are party to the Agreement on the European Economic Area and participate in other EU arrangements. As such, in many areas, these countries adopt EU rules. Where this is the case, these technical notices may also apply to them, and EEA businesses and citizens should consider whether they need to take any steps to prepare for a 'no deal' scenario.