

Notification by UNITED KINGDOM

Information about market access to the UK for EU operators in relation to some triangular traffic and cabotage further to the letter of 2 December 2022

The changes referred to in the 2 December letter take legal effect on 24 December 2022, with enforcement of ECMT permits for relevant journeys starting in 2023.

There has been some misinterpretation of the legislation, so this note emphasises some aspects.

A Community Licence is valid for transports operated between the UK and any EU Member State, regardless of which EU country the operator is established in.

An ECMT permit will be required only for an operator based in the EU for transport between the UK and a country outside the EU. This includes to or from Norway or Switzerland.

Transit across the UK by an EU operator does not require an ECMT permit. The transits across the UK which can be done using a Community Licence include all of:

- transit through the UK during a journey between the Republic of Ireland and the rest of the EU;
- transit through the UK during a journey between the Republic of Ireland and a non-EU State; and
- transit through the UK in the course of a cabotage journey between two points in the Republic of Ireland.

International transport between the EU and the UK by heavy goods vehicles (including accompanied trailers) using Eurotunnel services or roll-on/roll-off ferries is not affected by the removal of the combined transport access right. The removal of the combined transport access right relates to the rights further to the Combined Transport Directive (92/106/EEC, as amended).

Cabotage rights of up to two journeys to be undertaken within seven days of unloading of an international arrival still apply for EU operators in the UK. They can be used wholly or partly for journey legs that would have been classified as Combined Transport under the Directive.

EU operator's vehicles will not be permitted to undertake any cabotage in the UK after arriving in the UK empty. EU operator's vehicles can arrive empty into the UK and then leave loaded on an international journey.

The changes taking legal effect in the UK are required so that the UK provides market access consistent with the UK/EU Trade and Co-operation Agreement and its wider international obligations.

The legal instrument and an explanatory memorandum for the amended legislation are published at: <https://www.legislation.gov.uk/ukxi/2022/1260/contents/made>

UK Department for Transport 23.12.2022