

No. 50387*

**Ireland
and
United Kingdom of Great Britain and Northern Ireland**

Exchange of letters constituting an Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland, to exempt road transport vehicles engaged in certain categories of international transport activities from EU tachograph and drivers' hours rules. Dublin, 21 July 2011

Entry into force: *1 September 2011, in accordance with the provisions of the said letters*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Ireland, 14 January 2013*

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**Irlande
et
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord**

Échange de lettres constituant un Accord entre le Gouvernement de l'Irlande et le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord afin d'exonérer les véhicules de transport routier engagés dans certaines catégories d'activités des transports internationaux du tachygraphe de l'Union européenne et la législation relative aux heures des conducteurs. Dublin, 21 juillet 2011

Entrée en vigueur : *1er septembre 2011, conformément aux dispositions desdites lettres*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Irlande, 14 janvier 2013*

** Numéro de volume RTNU n'a pas encore été établie pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]



**TREATY SERIES 2012
N° 19**

**Exchange of letters constituting an Agreement between the
Government of Ireland and the Government of Great Britain and
Northern Ireland, to exempt road transport vehicles engaged in
certain categories of international transport activities from EU
tachograph and drivers' hours rules**

Letters exchanged on 21 July 2011

Entered into force on 1 September 2011

Presented to Dáil Éireann by the Minister for Foreign Affairs and Trade

**EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT BETWEEN THE
GOVERNMENT OF IRELAND AND THE GOVERNMENT OF GREAT BRITAIN
AND NORTHERN IRELAND, TO EXEMPT ROAD TRANSPORT VEHICLES
ENGAGED IN CERTAIN CATEGORIES OF INTERNATIONAL TRANSPORT
ACTIVITIES FROM EU TACHOGRAPH AND DRIVERS' HOURS RULES**

An Roinn Gnóthai Eachtracha
Department Of Foreign Affairs
Baile Átha Cliath 2
Dublin 2

21 July 2011

The Chargé d'Affaires a.i.
The British Embassy
29 Merrion Road
Dublin 4

Dear Sir

I have the honour to acknowledge the receipt of your Excellency's Letter dated 21 July 2011 regarding the establishment of a new Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland on the granting of common exceptions under Article 13.1 of European Regulation (EC) No.561/2006 which replaced Regulation (EEC) No. 3820/85, the main elements of which came into force on 11 April 2007.

I have the honour to inform your Excellency that the proposals contained therein concerning the granting of common exceptions under Article 13.1 of European Regulation (EC) No. 561/2006 together with corresponding exemptions under Article 3(2) of European Regulation (EEC) No 3821/85 are acceptable to the Government of Ireland. In particular the Government of Ireland agrees to exempt the same exemptions on its territory from the provisions of Articles 6, 7, 8 and 9 of European Regulation No. 561/2006 and the corresponding exemption under Article 3(2) of Council Regulation (EEC) 3821/85 as amended in respect of vehicles operating on cross-border journeys which fall within any of the following categories:-

- (a) vehicles used or hired, without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity within a radius of up to 100km from the base of the undertaking.

This exemption does not include a vehicle which is being used by a fishery undertaking for any purpose other than:

- (i) to carry live fish; or

Eamon Gilmore T.D.

Tánaiste and Minister for Foreign Affairs and Trade

Irish Treaty Series N° 19 of 2012

- (ii) to carry a catch of fish from the place of landing to a place where it is to be processed.
- (b) agricultural tractors and forestry tractors used for agricultural or forestry activities, within a radius of up to 100km from the base of the undertaking which owns, hires or leases the vehicle;
- (c) vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7.5. tonnes used:
 - by universal service providers as defined in Article 2 (13) of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service to deliver items as part of the universal service; or
 - for carrying materials, equipment or machinery for the driver's use in the course of his work;
 - within a 50km radius of the base of the undertaking and on condition that driving the vehicle does not constitute the driver's main activity;
- (d) vehicles used in connection with sewerage, flood protection, water, gas and electricity maintenance services, road maintenance and control, door to door household refuse collection and disposal, telegraph and telephone services, radio and television broadcasting and the detection of radio or television transmitters or receivers;
- (e) vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers;
- (f) specialised vehicles transporting circus and funfair equipment;
- (g) specially fitted mobile project vehicles, the primary purpose of which is use as an educational facility when stationary;
- (h) vehicles used for milk collection from farms and the return to farms of milk containers or milk products intended for animal feed;
- (i) vehicles used for carrying animal waste or carcasses which are not intended for human consumption; and
- (j) vehicles used for the carriage of live animals from farms to local markets and vice versa or from markets to local slaughterhouses within a radius of up to 50km

I accordingly confirm that your letter and this reply shall constitute an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland which shall come into force on 1 September 2011 and shall replace the agreement of 08 June 1987.