

Specialised Committee on Road Transport – Minutes of the Meeting

24 November 2021, 14.30 to 16:30 BST / 15:30 to 17.30 CEST (Brussels and online/EU Host)

1. and 2. Opening statements and adoption of the Agenda

The EU co-chair introduced the meeting by explaining the function of the Specialised Committee, and expressed his hope for continuing the constructive relationship in the road transport sector. The UK co-chair noted that the provisions of the TCA on road transport were clear and that they had so far been working well. The agenda was adopted as proposed.

3. Ways of working,

The EU co-chair pointed to the rules available in Annex 1 of the TCA, which offer a very detailed set of rules. On the frequency of meetings, both said that meetings should be held annually, but additional meetings could take place if there is a need for them.

4. Inclusion of the UK in the Internal Market Information System (IMI)

The EU-co chair explained the function of the IMI system, which is to enable the electronic handling of posting of workers declarations. There are bilateral technical contacts going on between the two sides to discuss legal, technical and financial issues for the preparation of the inclusion of the UK in the system. The decision of the Specialised Committee will take place in written procedure, which is a possibility foreseen by the TCA. The two sides will continue to prepare this decision, with a view for the UK to be included by 2 February 2022, the date for the start of the system.

5. Inclusion of the UK in the European Register of Road Transport Undertakings (ERRU) system

The UK said that the ERRU system would be the best way to fulfil the requirement of the TCA, and that the Specialised Committee should specify the conditions under which both parties of the TCA should have access to the data of their respective road transport registers. Those data were shared via the ERRU system before the end of the transition period, and the UK is still making these data available, however the EU has closed the connection. The EU co-chair said that this question raises a number of technical and legal issues, which still need to be discussed at technical level.

6. Adaptation of the Smart Tachograph Regulation (EU) No 2021/1228 to the TCA

The EU co-chair thanked the UK side for their first draft on the necessary specifications to be included in a future decision of the Specialised Committee. He said that, as in the case of the ERRU, discussions must go on at technical level in order to see what still needs to be clarified. He also said that there is more time for this, since implementation of Regulation No 2021/1228 is only foreseen for 2023. The UK co-chair expressed the hope that this can be done fairly soon, since there is no issue of substance here.

7. Any other business

The UK pointed to the situation of concert tour operators. The UK co-chair acknowledged the legal position and that the EU had not been able to agree a specific treatment for these operators in the TCA negotiations. However, the UK drew attention to the implications for cultural exchange in the future. The EU co-chair said he did not see how this could be addressed under the existing rules.

The EU co-chair spoke about the notification by the UK of exceptions to driving and rest times of drivers, justified by the shortage of drivers and other specific reasons. He reserved the right to bring this point up at the next meeting of the Specialised Committee, in particular in case this exception should be prolonged beyond the 9 January 2022.

8. Closing session

Approved by the Joint Secretariat of the Specialised Committee on Road Transport

Annex 1: Participants of the first meeting of the Specialised Committee on Road Transport

UK Delegation (18)

- UK Co-chair of the Specialised Committee on Road Transport
- UK Government Officials from DfT, Cabinet Office and other government agencies
- Scottish Government Officials
- Northern Ireland Executive officials

EU Delegation (23)

- EU Co-chair of the Specialised Committee on Road Transport
- European Commission Officials
- Delegation of the European Union to the UK Official
- Representatives of EU Member States