

## **COURT OF APPEAL UPHOLD DECISION ON ROMENTIEK**

VOSA welcomes the news that Romentiek BVBA have failed in their latest attempt to overturn a decision made by the Traffic Commissioner to refuse an appeal for the return of their impounded vehicles.

On Friday 16 May the Court of Appeal dismissed the appeal of Romantiek BVBA and upheld the Transport Tribunal's decision. Romantiek BVBA had argued that having an EC authorisation from Belgium permitting cabotage in other Member States, meant they were exempt from UK rules requiring a road haulage operator to hold an operator's licence. However, the Court of Appeal ruled that the EC authorisation and the relevant exemption in the UK's operator licensing legislation, only apply if a haulier is carrying out road haulage operations on a temporary basis in the UK. Where road haulage operations are being conducted in the UK on a non temporary basis, they fall outside the scope of EC permission for cabotage and the operator must hold a UK operator's licence, without which the vehicles can be impounded.

Commenting on the decision Kevin Rooney, VOSA's Customer Director said "This extremely important result fully supports VOSA's approach to cabotage enforcement and sends a clear signal to operators of foreign registered vehicles that firm action will be taken where cabotage rules are abused."

**– ENDS –**

**NOTES TO EDITOR:**

**VOSA (Vehicle and Operator Services Agency) is responsible for:**

- Processing applications for licences to operate lorries and buses and registering bus services
- Operating and administering testing schemes for all vehicles, including the supervision of the MOT testing scheme
- Enforcing the law on vehicles to ensure that they comply with legal standards and regulations
- Enforcing drivers' hours and licensing requirements
- Supporting Traffic Commissioners to help them make informed decisions on operator licensing, vocational drivers and bus registration requirements
- Providing training and advice for commercial operators
- Investigating vehicle accidents, defects and recalls.

For media enquiries about VOSA, please contact: Zita Easton on 0117 954 2561 or Luke Bigwood on 0117 954 3208. You can also e-mail [press@vosa.gov.uk](mailto:press@vosa.gov.uk)

*An executive agency of the  
Department for  
**Transport***