

Subject: RE: draft answer to IRU - FW: Weights and dimensions

Dear [REDACTED]

Thank you very much for your comprehensive reply. This is clear. It is also good to know that [REDACTED] has started transposition.

Best regards,

[REDACTED]
Policy Officer - EU Goods Transport & Environmental Affairs



iru.org

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From: [REDACTED]
Sent: lundi 9 octobre 2017 10:58
To: [REDACTED]
Subject: Fw: draft answer to IRU - FW: Weights and dimensions

Dear [REDACTED]

My colleague [REDACTED] has forwarded me your question regarding the transposition of Directive 2015/719/EC:

[REDACTED] haven't yet transposed this directive. Does that mean that you cannot go to [REDACTED] or [REDACTED] with 45 feet containers or is it authorised because the transition period is expired?"

Directives need to be transposed by Member States into national law. They are not directly applicable.

The European Court of Justice has ruled on a number of occasions that some directives may have direct effect.

Please find more (general) information on the direct effect under this link: <http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=LEGISSUM%3A14547>

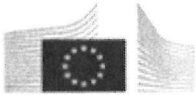
National authorities, however, might still enforce national rules as they stand (not yet adapted to the Directive). In case of subsequent court proceedings, the concerned person (who might have, for example, received a fine), may invoke a Directive having directive effect before court.

In short: An expired transposition deadline does not lead to an authorisation. It's the national law which is still relevant. National enforcement authorities might be enforcing current national law, even if the transposition deadline of the Directive has passed.

Please note that the Commission has initiated infringement procedures against [REDACTED]. As regards [REDACTED] has notified the Commission of the transposition of the Directive 2015/719 into [REDACTED]

Best regards,

[REDACTED]
Legal Officer



EUROPEAN COMMISSION

DG Mobility and Transport
Unit C1 – Road Transport
[REDACTED]

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From: [REDACTED]
Sent: Thursday, September 21, 2017 6:23 PM
To: [REDACTED]
Subject: Weights and dimensions

Dear [REDACTED]

I have received a question from a [REDACTED] member asking about the transposition of 2015/719/EC. Regarding Article 2 and considering that the transposition deadline has expired:

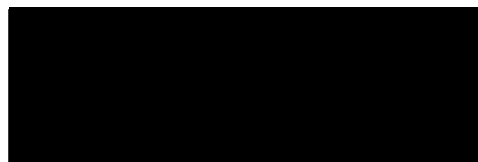
[REDACTED] haven't yet transposed this directive. Does that mean [REDACTED] that you cannot go to [REDACTED] with 45 feet containers or is it [REDACTED] authorised because the transition period is expired?

Many thanks for your advice.

Kind regards,

Policy Officer - EU Goods Transport & Environmental Affairs
[REDACTED]

PLEASE NOTE
New address as of 1 September:



RJ