
STATUTORY INSTRUMENTS

1995 No. 2869

ROAD TRAFFIC

The Goods Vehicles (Licensing of Operators) Regulations 1995

Made - - - - *6th November 1995*
Laid before Parliament *14th November 1995*
Coming into force - - *1st January 1996*

The Secretary of State for Transport—

^{M1}(a) in exercise of the powers conferred by sections 2, 5(3) and (8), 8(3), (4) and (5), 10, 11(2), 12(2), (3), (6) and (7), 14(5), 17(2), 18(3), 19(9) and (10), 23(2), 30(1) and (4), 31(5), 33, 34(1), 35(3), 36(2) and (3), 46(1) and (2), 47, 48(2), (3) and (4) and 57(1), (2), (3), (4), (5), (7), (8) and (9) of, and paragraphs 1 and 3 of Schedule 4 to, the Goods Vehicles (Licensing of Operators) Act 1995, and

(b) being a Minister designated^{M2} for the purposes of subsection (2) of section 2 of the European Communities Act 1972^{M3} in relation to the regulation and supervision of the qualifications of persons engaged in road transport, in exercise of the powers conferred by that section; and in exercise of all other powers enabling him in that behalf, hereby makes the following Regulations having consulted with representative organisations in accordance with section 57 (12) of the Goods Vehicles (Licensing of Operators) Act 1995, and the Council on Tribunals in accordance with the requirements of section 8 of the Tribunals and Inquiries Act 1992^{M4}:—

Modifications etc. (not altering text)

C1 Regulations modified (26.9.1996) by [The Goods Vehicles \(Licensing of Operators\) \(Temporary Use in Great Britain\) Regulations 1996 \(S.I. 1996/2186\)](#), reg. 31, **Sch. 6 Pt II** (as read with S.I. 2010/455, reg. 2(6))

Marginal Citations

M1 1995 c.23.

M2 S.I. 1975/1707.

M3 1972 c.68; which has been modified by the European Communities (Amendment) Act 1993 c.32.

M4 1992 c.53; to which there are amendments not relevant to these Regulations.

PART I

GENERAL

Commencement and citation

1. These Regulations may be cited as the Goods Vehicles (Licensing of Operators) Regulations 1995, and shall come into force on 1st January 1996.

Commencement Information

I1 [Reg. 1](#) in force at 1.1.1996, see [reg. 1](#)

Revocation

2. The Regulations set out in Schedule 5 are hereby revoked.

Commencement Information

I2 [Reg. 2](#) in force at 1.1.1996, see [reg. 1](#)

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, any reference to—

- (a) a numbered section is a reference to the section bearing that number in the Goods Vehicles (Licensing of Operators) Act 1995;
- (b) a numbered regulation or Schedule is a reference to the regulation or, as the case may be, the Schedule bearing that number in these Regulations; and
- (c) a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which the reference appears.

(2) In these Regulations, unless the context otherwise requires—

“the 1995 Act” means the Goods Vehicles (Licensing of Operators) Act 1995;

[^{F1}“the 2009 Regulation” means Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21st October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC;]

[^{F2}“alternative fuel” means one or more of the following—

- (a) electricity;
- (b) hydrogen;
- (c) natural gas, including biomethane, in gaseous form and liquefied form;
- (d) liquefied petroleum gas;]

“application for a licence” means an application for an operator’s licence for which publication is required by section 10(1);

“application for the variation of a licence” means an application for the variation of an operator’s licence for which publication is required by section 17(3) and, “application” when used otherwise than as part of those expressions means—

- (a) an application for a licence, or

(b) an application for the variation of a licence;

“Applications and Decisions” means a statement issued by a traffic commissioner under regulation 21;

“company” shall be construed as provided in [^{F3}section 1 of the Companies Act 2006];

[^{F4}“country” includes territory;]

“disc” means a disc issued in accordance with regulation 23(1) and (2) or 27(2);

“dual purpose vehicle” has the meaning given in column 2 of the Table in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 ^{M5};

“farm” includes a market garden;

“firm” has the same meaning as in section 4 of the Partnership Act 1890 ^{M6};

“goods vehicle” has the same meaning as in section 58(1) ^{F5}...;

[^{F6}“heavy goods vehicle” has the meaning given in section 58(1);]

“keeper”, in relation to a goods vehicle, is the person in whose name the vehicle is registered under the Vehicle Excise and Registration Act 1994 ^{M7};

[^{F7}“interim licence” means a licence issued under section 24;]

[^{F7}“interim direction” means a direction given by a traffic commissioner pursuant to section 25;]

[^{F8}“international operator” means a person who has an effective and stable establishment in a country other than the United Kingdom that is comparable to an effective and stable establishment in Great Britain as determined in accordance with paragraph A1 of Schedule 3 to the 1995 Act;]

“licence” means an operator’s licence (whether standard or restricted) as defined in section 2(1) and, where the context so requires, includes the documentation which evidences the grant of an application;

“licence-holder”, and “holder” in relation to a licence, mean the person to whom the licence was issued;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;

“maintenance” in relation to a goods vehicle includes inspection, repair and fuelling;

[^{F9}“maximum laden weight” has the meaning given in Part IV of Schedule 6 to the Road Traffic Regulation Act 1984;]

“officer” has the meaning given in section 42;

“recovery vehicle” has the same meaning as in Part V of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“relevant conviction” means any conviction mentioned in paragraph 5 of Schedule 2 to the 1995 Act or any conviction of contravening any provision of the law of Northern Ireland or of a country ^{F10}...outside the United Kingdom corresponding to any such conviction, not being in either case a spent conviction within the meaning of section 1(1) of the Rehabilitation of Offenders Act 1974 ^{M8};

“showman’s goods vehicle” has the same meaning as in section 62 of the Vehicle Excise and Registration Act 1994;

“tower wagon” has the same meaning as in paragraph 17(2) of Schedule 2 to the Vehicle Excise and Registration Act 1994 (as originally enacted);

“trade licence” is a licence granted under section 11 of the Vehicle Excise and Registration Act 1994;

[^{F11}“transport manager” has the meaning given in section 13A(5);]

^{F12}

Textual Amendments

- F1** Words in reg. 3(2) inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **3(a)**
- F2** Words in reg. 3(2) inserted (1.9.2018) by [The Goods and Motor Vehicles \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/25\)](#), regs. 1, **2(2)**
- F3** Words in reg. 3(2) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **3(b)**
- F4** Words in reg. 3(2) inserted (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **4(a)**
- F5** Words in reg. 3(2) omitted (17.3.2022) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **58(a)**
- F6** Words in reg. 3(2) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **58(b)**
- F7** Words in reg. 3(2) inserted (1.4.2010) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2010 \(S.I. 2010/455\)](#), regs. 1(1)(a), **2(2)**
- F8** Words in reg. 3(2) inserted (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **4(b)**
- F9** Words in reg. 3(2) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **58(c)**
- F10** Words in reg. 3(2) omitted (1.10.2023) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **4(c)**
- F11** Words in reg. 3(2) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **58(d)**
- F12** Words in reg. 3(2) omitted (5.10.2017) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **3(c)**

Commencement Information

- I3** Reg. 3 in force at 1.1.1996, see [reg. 1](#)

Marginal Citations

- M5** [S.I. 1986/1078](#), as amended by [S.I. 1994/329](#).
- M6** [1890 c.39](#).
- M7** [1994 c.22](#); section 60A was inserted by paragraph 26 of Schedule 4 to the [Finance Act 1995 \(c.4\)](#).
- M8** [1974 c.53](#).

PART II
APPLICATIONS

Manner of making applications

- 4. Every application shall—

- (a) be made on a form supplied by [^{F13}a traffic commissioner] and contain the information required by that form;
- (b) be signed—
 - (i) if made by an individual, by that person,
 - (ii) if made by a firm, by all of the partners of that firm or by one of them with the authority of the others, and
 - (iii) if made by any other body or group of persons, by one or more individual persons authorised for that purpose by the body or group;
- (c) if made for the issue of a licence, state whether it relates to a standard licence or to a restricted licence and, if it relates to a standard licence, state whether the licence is to cover—
 - (i) both national and international transport operations, or
 - (ii) national transport operations only.

Textual Amendments

F13 Words in [reg. 4\(a\)](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I4 Reg. 4 in force at 1.1.1996, see reg. 1

Time of applications

5. Every application shall be sent to [^{F14}a traffic commissioner] so as to reach him not less than 9 weeks before the time at which the applicant desires the licence or variation applied for to take effect.

Textual Amendments

F14 Words in [reg. 5](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I5 Reg. 5 in force at 1.1.1996, see reg. 1

Dispensations as to applications

6. [^{F15}A traffic commissioner] may consider an application notwithstanding that the requirement specified in regulation 5 has not been complied with.

Textual Amendments

F15 Words in [reg. 6](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I6 Reg. 6 in force at 1.1.1996, see reg. 1

Notice of applications

7.—(1) The prescribed manner in which a notice of any application for a licence as mentioned in section 10 or for a variation as mentioned in section 17 is published by [^{F16}a traffic commissioner] is that a summary of the application which adequately specifies the subject-matter of the application shall be published in Applications and Decisions as mentioned in regulation 21.

(2) The notice of an application to be published in accordance with section 11 or section 18 shall give the information specified in Schedule 1.

Textual Amendments

F16 Words in reg. 7(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I7 Reg. 7 in force at 1.1.1996, see reg. 1

Restrictions on applications

8.—(1) [^{F17}A traffic commissioner] may decline to proceed with an application for a licence if it appears to him that the grant of that application would lead to a contravention of section 8(2).

(2) [^{F17}A traffic commissioner] may decline to proceed with an application if and so long as it appears to him that the application relates to any motor vehicle which is specified in an existing licence, and the grant of that application would lead to a contravention of section 5(8).

Textual Amendments

F17 Words in reg. 8(1)(2) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I8 Reg. 8 in force at 1.1.1996, see reg. 1

Inspection of applications

9.—(1) [^{F18}Until an application has been determined, a traffic commissioner shall make available for inspection]—

- (a) to any person authorised to make the inspection by a local authority, a planning authority, chief officer of police or trade union or association specified in regulation 10, such part of the application (or the whole of it) as any such person in writing requests to see; and
- (b) to any person who is, by virtue of section 12(4) or 19(2)(b) entitled to make representations in respect of the application, or a person authorised by such a person to make the inspection on his behalf, such part of the application as is, in the opinion of the traffic commissioner, relevant to the representation.

(2) A traffic commissioner ^{F19}... shall, during the currency of [^{F20}a licence], make a copy of it available for inspection by any person who appears to the traffic commissioner to have reasonable grounds for making such an inspection.

(3) A traffic commissioner shall satisfy his obligation under paragraph (1) by—

- (a) making the application or, as the case may be, part of it, available for inspection at [^{F21}an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates]; or
 - (b) on prior receipt of his expenses in that behalf, by posting a copy of the application or, as the case may be, part of it, to the address given for that purpose by the person wanting to make the inspection.
- (4) A traffic commissioner shall satisfy his obligation under paragraph (2) by—
- (a) making a copy of the licence or, as the case may require, part of it, available for inspection at [^{F22}an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence relates]; or
 - (b) on prior receipt of his expenses in that behalf, by posting a copy of the licence or, as the case may require, part of it, to the address given for that purpose by the person requesting to make the inspection.

Textual Amendments

- F18** Words in reg. 9(1) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F19** Words in reg. 9(2) omitted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F20** Words in reg. 9(2) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F21** Words in reg. 9(3)(a) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F22** Words in reg. 9(4)(a) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I9** Reg. 9 in force at 1.1.1996, see reg. 1

PART III

OBJECTIONS AND REPRESENTATIONS

Prescribed trade unions and associations

10.—(1) The trade unions and associations specified in paragraph (2), being trade unions or associations whose members consist of or include persons holding licences or employees of any such persons, are hereby prescribed as persons who may object as provided in section 12(2), either as applied by section 19(2)(a) or not.

- (2) Those trade unions and associations are—
- The British Association of Removers;
 - The Freight Transport Association;
 - [^{F23}GMB];
 - The National Union of Rail, Maritime and Transport Workers;
 - The Road Haulage Association;

The Transport and General Workers' Union;
 The Union of Shop, Distributive and Allied Workers; and
 The United Road Transport Union.

Textual Amendments

F23 Word in [reg. 10\(2\)](#) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), 4

Commencement Information

I10 Reg. 10 in force at 1.1.1996, see reg. 1

Manner of making objections and representations

11.—(1) For the purposes of sections 12(6)(b), 12(7)(b) and 19(10), the prescribed manner of making an objection to, or representation against, an application is by delivering a document to [^{F24}a traffic commissioner]—

- (a) setting out the objection or representation as the case may be; and
- (b) signed—
 - (i) if made by an individual, by that person,
 - (ii) if made by a firm, by all of the partners of that firm or by one of them with the authority of the others,
 - (iii) if made by any other body or group of persons, by one or more individual persons authorised for that purpose by the body or group,
 or, in any of the above cases, by a solicitor acting on behalf of (as the case may be) the person, firm, body or group.

(2) A copy of the document delivered under paragraph (1) shall be sent by the objector, or the person making the representation, to the applicant on the same day as, or the next working day after, the delivery to the traffic commissioner.

Textual Amendments

F24 Words in [reg. 11\(1\)](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I11 Reg. 11 in force at 1.1.1996, see reg. 1

Time of making objections and representations

12.—(1) The prescribed time within which an objection under section 12(1)(a) or (b) to an application for a licence must be made is the period commencing immediately after notice of the application is published under section 11(2) and ending 21 days after the date on which notice of the application is published in Applications and Decisions.

(2) The prescribed time within which a representation under section 12(4) in respect of an application for a licence must be made is the period of 21 days beginning with the date on which notice of the application is published under section 11(2).

(3) The prescribed time within which an objection under section 12(1)(a) as applied by section 17(5) or section 19(2) to or in respect of an application for a variation of a licence must be made is the period commencing immediately after notice of the application is published under section 18(3) (or, if none, the making of the application to which the objection relates) and ending 21 days after the date on which the notice of the application is published in Applications and Decisions.

(4) The prescribed time within which a representation under section 19(2) in respect of an application for a variation of a licence must be made is the period of 21 days beginning with the date on which the notice of the application is published under section 18(3).

Commencement Information

I12 Reg. 12 in force at 1.1.1996, see **reg. 1**

Consideration of objections and representations

13.—(1) [^{F25}A traffic commissioner] shall consider every objection duly made in considering whether or not to hold an inquiry as provided in section 35.

(2) [^{F25}A traffic commissioner] shall consider every representation duly made in considering whether or not to hold an inquiry as provided in section 35.

Textual Amendments

F25 Words in **reg. 13(1)(2)** substituted (3.7.2013) by **The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644)**, art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

I13 Reg. 13 in force at 1.1.1996, see **reg. 1**

PART IV

OPERATING CENTRES

Conditions which may be attached to a [^{F26}heavy goods vehicle] licence

14. The conditions which may be attached under section 23 to a [^{F27}heavy goods vehicle] licence are conditions regulating—

- (a) the number, type and size of authorised [^{F28}heavy goods vehicles] which may at any one time be at any operating centre of the licence-holder [^{F29}in the traffic area to which the licence relates] for the purposes of maintenance and parking;
- (b) the parking arrangements to be provided for authorised [^{F30}heavy goods vehicles] at or in the vicinity of every such operating centre;
- (c) the times between which there may be carried out at every such operating centre any maintenance or movement of any authorised [^{F31}heavy goods vehicle] and the times at which any equipment may be used for any such maintenance or movement; and
- (d) the means of ingress to and egress from every such operating centre for any authorised [^{F32}heavy goods vehicle].

Textual Amendments

- F26** Words in [reg. 14](#) heading inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **59(1)**
- F27** Words in [reg. 14](#) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **59(2)(a)**
- F28** Words in [reg. 14\(a\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **59(2)(b)**
- F29** Words in [reg. 14\(a\)](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F30** Words in [reg. 14\(b\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **59(2)(b)**
- F31** Words in [reg. 14\(c\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **59(2)(c)**
- F32** Words in [reg. 14\(d\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **59(2)(c)**

Commencement Information

- I14** Reg. 14 in force at 1.1.1996, see [reg. 1](#)

Considerations relevant to determinations [^{F33}as to environmental matters]

15.—(1) The considerations prescribed as relevant to any determination of a kind specified in section 34(2) are—

- (a) the nature and the use of any other land in the vicinity of the land used or proposed to be used as an operating centre, and any effect which the use of the land as an operating centre has, or would be likely to have, on the environment of that vicinity;
- (b) in a case where the land proposed to be used as an operating centre is, or has previously been, used as an operating centre, the extent to which the grant of the application would result in any material change as regards that operating centre, or its use, which would adversely affect the environment of the vicinity of that land;
- (c) in the case of an application which, if granted, would result in land which has not previously been used as an operating centre being used as one, any information known to the traffic commissioner [^{F34}dealing with the application] about any planning permission or application for planning permission relating to the land or any other land in the vicinity of that land;
- (d) the number, type and size of [^{F35}heavy goods vehicles];
- (e) the arrangements for the parking of [^{F36}heavy goods vehicles] or the proposed or likely arrangements for such parking;
- (f) the nature and the times of the use of the land for the purpose of an operating centre or the proposed nature and times of the use of the land proposed to be used for that purpose;
- (g) the nature and the times of the use of any equipment installed on the land used as an operating centre for the purpose of the use of that land as an operating centre or of any equipment proposed or likely to be installed on the land proposed to be used as an operating centre for that purpose; and
- (h) the means and frequency of [^{F37}heavy goods vehicle] ingress to, and egress from, the land used as an operating centre or the proposed means and frequency of such ingress to, and egress from, the land proposed to be used as an operating centre.

(2) In this regulation—

“operating centre” includes part of an operating centre and the place which would be the operating centre if the application were granted; and

“planning permission” has the same meaning, as regards England and Wales, as in section 336(1) of the Town and Country Planning Act 1990^{M9}, and, as regards Scotland, as in section 274(1) of the Town and Country Planning (Scotland) Act 1972^{M10}.

Textual Amendments

- F33** Words in [reg. 15](#) heading inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **60(1)**
- F34** Words in [reg. 15\(1\)\(c\)](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F35** Words in [reg. 15\(1\)\(d\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **60(2)(a)**
- F36** Words in [reg. 15\(1\)\(e\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **60(2)(a)**
- F37** Words in [reg. 15\(1\)\(h\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **60(2)(b)**

Commencement Information

- I15** [Reg. 15](#) in force at 1.1.1996, see [reg. 1](#)

Marginal Citations

- M9** 1990 c.80.
M10 1972 c.52.

Conditions to be satisfied in relation to specified operating centres

16. The prescribed condition under sections 14(5)(c), 19(9)(c) and paragraphs 1(7)(b) and 3(7)(b) of Schedule 4 to the 1995 Act is that either—

- (a) proceedings on any appeal (including any proceedings on or in consequence of an appeal) have been determined and any time for appealing or further appealing has expired; or
- (b) any review under section 36 has been determined or the time for giving notice of intention to review under section 36(2) has expired and no such notice of review has been served,

and if any appeal or notice of intention is withdrawn or abandoned the date of such withdrawal or abandonment shall be taken to be the time of expiry.

Commencement Information

- I16** [Reg. 16](#) in force at 1.1.1996, see [reg. 1](#)

Period for service of notice on review of an operating centre

17. The period prescribed for the purpose of section 30(1) is two months.

Commencement Information

I17 Reg. 17 in force at 1.1.1996, see [reg. 1](#)

Manner of service of notice on review of an operating centre

18. Paragraph 6 of Schedule 4 shall have effect in relation to serving of notices by [^{F38}a traffic commissioner] on a licence-holder for the purposes of section 30(1), as if “section 30” were substituted for “the Schedule” in sub-paragraph (1) of that paragraph.

Textual Amendments

F38 Words in [reg. 18](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I18 Reg. 18 in force at 1.1.1996, see [reg. 1](#)

Manner of making representations in relation to a review

19. Without prejudice to section 31(5), the prescribed manner of making representations in relation to a review is by delivering a document to [^{F39}a traffic commissioner]—

- (a) setting out the representations;
- (b) clearly identifying—
 - (i) the person making the representations,
 - (ii) the place specified in the [^{F40}heavy goods vehicle] licence to which the representations relate,
 - (iii) land or property in the vicinity which is owned or occupied by the person making the representations; and
- (c) signed—
 - (i) if made by an individual, by that person,
 - (ii) if made by a firm, by all of the partners of that firm or by one of them with the authority of the others,
 - (iii) if made by any other body or group of persons, by one or more individual persons authorised for that purpose by the body or group,
 or, in any of the above cases, by a solicitor acting on behalf of (as the case may be) the person, firm, body or group.

Textual Amendments

F39 Words in [reg. 19](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

F40 Words in [reg. 19\(b\)\(ii\)](#) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), [61](#)

Commencement Information

I19 Reg. 19 in force at 1.1.1996, see [reg. 1](#)

PART V INQUIRIES

Provisions about inquiries

20. Schedule 4 shall have effect in relation to any inquiry held by a traffic commissioner.

Commencement Information

I20 [Reg. 20](#) in force at 1.1.1996, see [reg. 1](#)

PART VI APPLICATIONS AND DECISIONS

Statement to be issued by the traffic commissioner

21.—(1) [^{F41}A traffic commissioner] shall publish as occasion may require a statement known as “Applications and Decisions” which shall contain (unless previously notified)—

- (a) as regards applications—
 - (i) notices of the applications,
 - (ii) the dates on which and the places at which [^{F42}inquiries are proposed to be held and the applications which are proposed for consideration] at those inquiries, and
 - (iii) ^{F43}... decisions on applications, other than ^{F43}... decisions to issue an interim licence under section 24, or to make an interim direction under section 25;
- (b) any direction to revoke, suspend or curtail a licence given under section 26 or section 27;
- (c) the dates on which and the places at which [^{F44}it is proposed] to hold any inquiries other than those mentioned in sub-paragraph (a)(ii) above; and
- (d) any decision ^{F45}... following a review under section 30.

(2) The publication of the date of any inquiry in Applications and Decisions shall not prevent [^{F46}a traffic commissioner] from adjourning, cancelling or postponing the consideration of any application and in particular any inquiry held or proposed to be held in connection with the application.

(3) Copies of Applications and Decisions [^{F47}shall be made available for inspection at such places as the traffic commissioner by whom it was issued] may determine and copies of the whole or the relevant parts thereof shall be supplied to any person requiring them on payment of such sum as [^{F47}a traffic commissioner] may require to cover the cost of supplying the copy.

Textual Amendments

F41 Words in reg. 21(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

- F42** Words in reg. 21(1)(a)(ii) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F43** Words in reg. 21(1)(a)(iii) omitted (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F44** Words in reg. 21(1)(c) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F45** Words in reg. 21(1)(d) omitted (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F46** Words in reg. 21(2) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F47** Words in reg. 21(3) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Notification of decisions

22.—(1) Subject to paragraph (2) [^{F48}and Articles 6.2(a) and 15.1 of the 2009 Regulation], where a traffic commissioner grants or refuses an application, he shall send a written statement of his reasons to—

- (a) the applicant;
 - (b) every objector; and
 - (c) every person who has made a representation in accordance with sections 12(4), 19(2) or 19(4) and asked [^{F49}a traffic commissioner] for such a statement.
- (2) Paragraph (1) does not apply where—
- (a) the traffic commissioner grants an application in the terms applied for; and
 - (b) no objection or representation has been made in accordance with sections 12(1), 12(4), 19(2) or 19(4).

(3) Where a traffic commissioner makes a direction under section 31 or 32, he shall send a written statement of his reasons to the licence-holder.

Textual Amendments

- F48** Words in [reg. 22\(1\)](#) inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **5**
- F49** Words in [reg. 22\(1\)\(c\)](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I21** Reg. 22 in force at 1.1.1996, see reg. 1

PART VII OTHER MATTERS

Identification of motor vehicles

23.—(1) [^{F50}A traffic commissioner] shall, when any motor vehicle to be used under a licence is specified in the licence, issue to the licence-holder a disc in respect of the vehicle.

(2) The disc shall clearly indicate (by colour or other means)—

- (a) whether a vehicle is being used under a standard licence or under a restricted licence; ^{F51}...
- (b) in the case of a vehicle being used under a standard licence, whether the vehicle covers both international and national transport operations or [^{F52}national transport operations only;]
- [^{F53}(c) where applicable, that the vehicle is being used under an interim licence, or pursuant to an interim direction, and in such a case, the date the interim licence was issued or the interim direction was given; and
- (d) subject to paragraph (5)(b), the date on which the disc expires under paragraph (5)(a).]

(3) The licence-holder shall, during such time as any motor vehicle is specified in the licence and whether or not for the time being the vehicle is being used for the purpose for which a licence is required, cause a disc appropriate to the vehicle to be fixed to, and exhibited in a legible condition on, that vehicle in a waterproof container—

- (a) in the case of a vehicle fitted with a front windscreen, on the near side and near the lower edge of the windscreen with the obverse side facing forwards;
- (b) in the case of a vehicle not fitted with a front windscreen, in a conspicuous position on the front or near side of the vehicle.

(4) At no time shall any person except [^{F54}a traffic commissioner,] or a person authorised to do so on his behalf, write on or make any other alteration to a disc.

- (a) [^{F55}(5) (a) Subject to paragraph (b) and without prejudice to regulation 28, a disc will expire at the end of the last day of the month in which the continuation fee for a licence falls due.
 - (b) Neither paragraph (a) nor paragraph (2)(d) apply where a disc is issued under an interim licence or pursuant to an interim direction.
- (6) For the purposes of paragraph (5)(a)—
- (a) “continuation fee” means the fee numbered (iii) as specified in the Schedule to the Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995; and
 - (b) the month in which such a fee falls due is determined in accordance with that Schedule.]

Textual Amendments

- F50** Words in reg. 23(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F51** Word in reg. 23(2)(a) omitted (1.4.2010) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2010 \(S.I. 2010/455\)](#), regs. 1(1)(a), **2(3)(a)** (with reg. 2(6))
- F52** Words in reg. 23(2)(b) substituted (1.4.2010) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2010 \(S.I. 2010/455\)](#), regs. 1(1)(a), **2(3)(b)** (with reg. 2(6))
- F53** Reg. 23(2)(c)(d) inserted (1.4.2010) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2010 \(S.I. 2010/455\)](#), regs. 1(1)(a), **2(3)(c)** (with reg. 2(6))

- F54** Words in reg. 23(4) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F55** Reg. 23(5)(6) inserted (1.4.2010) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2010 \(S.I. 2010/455\)](#), regs. 1(1)(a), **2(3)(d)**

Commencement Information

- I22** Reg. 23 in force at 1.1.1996, see [reg. 1](#)

Temporary addition of a motor vehicle

24. Where—

- (a) a motor vehicle specified in an operator's licence ("the specified vehicle") has been rendered unfit for service, or withdrawn from service for overhaul or repair, and the licence-holder informs [^{F56}a traffic commissioner] of his desire to have a variation of the licence specifying another motor vehicle in its place ("the additional vehicle"); or
- (b) the specified vehicle has been rendered fit for service again, and the licence-holder informs [^{F56}a traffic commissioner] of his desire to have a variation of the licence whereby the additional vehicle will cease to be specified on the licence,

the provisions of regulations 4 and 5 shall not apply.

Textual Amendments

- F56** Words in reg. 24(a)(b) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I23** Reg. 24 in force at 1.1.1996, see [reg. 1](#)

Notification of change of address

25. If during the currency of a licence the address for correspondence as notified in the licence-holder's application or as subsequently notified under this regulation ceases to be an effective address for correspondence the licence-holder shall within 28 days from the date of such event notify [^{F57}a traffic commissioner] of an effective address for correspondence.

Textual Amendments

- F57** Words in reg. 25 substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I24** Reg. 25 in force at 1.1.1996, see [reg. 1](#)

Production of licence for examination

26.—(1) The licence-holder shall produce the licence for inspection by an officer or a police constable on being required by such a person to do so, and the licence-holder may do so at any operating centre covered by the licence or at his head or principal place of business within the traffic

area in which any such operating centre lies or, if the requirement is made by a police constable, at a police station chosen by the licence-holder.

(2) The licence-holder shall comply with any requirement mentioned in paragraph (1) within 14 days of the day on which the requirement is made.

Commencement Information

I25 Reg. 26 in force at 1.1.1996, see [reg. 1](#)

Issue of copies of licences and discs

27.—(1) If a licence or disc has been lost, destroyed or defaced, the person to whom it was issued shall forthwith notify in writing [^{F58}a traffic commissioner].

(2) If—

- (a) [^{F59}a traffic commissioner] is satisfied that a licence or disc has been lost, destroyed or defaced; and
- (b) in the case of a licence or disc which has been defaced, it is surrendered to [^{F59}a traffic commissioner],

[^{F59}a traffic commissioner] shall issue a copy (so marked) which shall have effect as the original licence or disc.

(3) Where a licence or disc has been lost and after a copy has been issued the lost licence or disc is found by or comes into the possession of the licence-holder he shall forthwith return the original licence or disc to [^{F60}a traffic commissioner].

Textual Amendments

F58 Words in reg. 27(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

F59 Words in reg. 27(2) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

F60 Words in reg. 27(3) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

I26 Reg. 27 in force at 1.1.1996, see [reg. 1](#)

Return of licences and discs

28.—(1) If the licence-holder ceases to use under the licence any motor vehicle specified in the licence he shall within 21 days beginning with the date of ceasing to use the vehicle or vehicles notify [^{F61}a traffic commissioner] and return to [^{F61}a traffic commissioner] the licence for variation and the disc relating to the vehicle.

(2) If a licence is varied under section 17, 31, 32 or 36 its holder shall, when required by [^{F62}the traffic commissioner directing the variation] so to do, return to [^{F62}a traffic commissioner]—

- (a) the licence; and
- (b) if the number of motor vehicles specified in the licence has been reduced, the disc relating to any vehicle no longer specified in the licence.

(3) If a licence is revoked, surrendered, suspended, curtailed or terminated for any other reason, or if a traffic commissioner has given a direction in respect of a licence under section 26(2), the licence-holder shall on or before the date specified in a notice to that effect, send or deliver to [^{F63}a traffic commissioner]—

- (a) the licence; and
- (b) the disc relating to any motor vehicle which [^{F64}the traffic commissioner giving the direction] may specify,

for cancellation, retention during the time of suspension, or alteration as the case may be.

(4) The notice referred to in paragraph (3) shall be delivered personally to the licence-holder or sent to him by recorded delivery service at the address shown in his application or last notified in accordance with regulation 25.

(5) In the event of [^{F65}a traffic commissioner] deciding to make a variation under paragraph 9 of the Schedule to the Goods Vehicles (Licensing of Operators) Act 1995 (Commencement and Transitional Provisions) Order 1995 ^{M11} the licence-holder shall return the licence to [^{F65}a traffic commissioner] for him to amend the licence so that it conforms to the variation before returning it to the holder.

Textual Amendments

- F61** Words in reg. 28(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F62** Words in reg. 28(2) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F63** Words in reg. 28(3) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F64** Words in reg. 28(3)(b) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F65** Words in reg. 28(5) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I27** Reg. 28 in force at 1.1.1996, see [reg. 1](#)

Marginal Citations

- M11** [S.I. 1995/2181](#) (c.44).

Partnerships

29.—(1) The provision in section 8(2) that a person shall not at the same time hold more than one operator's licence in respect of the same area shall apply so that a firm shall be treated as a person separate from any partner of that firm or an individual in any other partnership.

(2) For the purposes of authorising goods vehicles to be used under section 5(1) when the licence-holder is a firm, any vehicle in the lawful possession of any partner of a firm shall be regarded as in the lawful possession of the firm.

(3) The provisions of [^{F66}section [^{F67}13A]] shall apply in any case where an applicant for a standard licence is a firm so that the traffic commissioner is required to satisfy himself that—

- (a) every one of the partners of that firm is of good repute;

[^{F68}(b) the firm satisfies the requirements to have an effective and stable establishment in Great Britain and to have appropriate financial standing;][^{F69}and]

[^{F70}(c) the firm has designated—

- (i) a suitable number of individuals, including one or more of the firm's partners, who satisfy the requirements set out in paragraph 14A(1) and (2) of Schedule 3 to the 1995 Act; or
- (ii) if none of the firm's partners satisfy the requirements referred to in paragraph (i), a suitable number of individuals who satisfy the requirements set out in paragraph 14A(1) and (3) of Schedule 3 to the 1995 Act.]

(4) The provisions of [^{F71}section 13B] shall apply in any case where an applicant for a restricted licence is a firm so that the traffic commissioner is required to satisfy himself that everyone of the partners of that firm is not unfit to hold an operator's licence by reason of any activities or convictions covered by [^{F71}section 13B(a) or (b)].

(5) The provisions of [^{F72}section 13D] shall apply in any case where an applicant is a firm and in such case the financial resources referred to in that subsection shall be those of the firm.

(6) The provisions of section 26 shall apply in any case where the licence-holder is a firm and in such a case any act, omission or conviction of a partner of that firm shall be regarded as the act, omission or conviction of the firm.

[^{F73}(7) The provisions of section 27(1) shall apply in any case where the licence holder is a firm if—

- (a) the firm ceases to have an effective and stable establishment in Great Britain (as determined in accordance with [^{F74}paragraph A1 of Schedule 3 to the 1995 Act]);
- (b) any partner of the firm ceases to satisfy the requirements of section 13A(2)(b) (good repute);
- (c) the firm ceases to have appropriate financial standing (as determined in accordance with [^{F75}paragraph 6A of Schedule 3 to the 1995 Act]); or
- [^{F76}(d) a transport manager for the firm ceases to satisfy the requirements of, in the case of an individual designated under—
 - (i) section 13A(3)(a)(ii) as applied by paragraph (3)(c)(i), paragraph 14A(1) and (2) of Schedule 3 to the 1995 Act; or
 - (ii) section 13A(3)(b) as applied by paragraph (3)(c)(ii), paragraph 14A(1) and (3) of Schedule 3 to the 1995 Act.]

(8) The provisions of section 28 shall apply to the revocation of an operator's licence held by a firm and in such a case the powers conferred by subsections (1) and (4) shall be exercisable in respect of each and every partner of that firm.

(9) Except in a case falling within paragraph (9) any requirement, obligation or prohibition (however expressed) placed on a person making an application or on the licence-holder by, or in pursuance of, a provision in the 1995 Act or these Regulations, shall apply where the licence-holder is a firm and the duty to meet the requirement or obligation or to comply with the prohibition, shall apply to the partners of that firm severally as well as jointly.

(10) Where an application is made by, or the licence-holder is a firm a requirement or obligation placed on the applicant or licence-holder by virtue of sections 8(4), 9(1) or 17(2) of the 1995 Act to inform [^{F77}a traffic commissioner] of a notifiable conviction within the meaning given in paragraph 4 of Schedule 2 to the 1995 Act shall apply in relation to the notifiable conviction of each partner of that firm, and the duty to meet the requirement shall apply to the person convicted.

(11) The provisions in section 16(5) as to the events on which an operator’s licence held by an individual terminates apply in a case where such a licence is held by a firm, if—

- (a) the partnership is dissolved; or
- (b) one or more of the persons dies or becomes a [^{F78}person who lacks capacity (within the meaning of the Mental Capacity Act 2005 (c.9)) to carry on the activities covered by the licence], or if (in Scotland) a curator bonis is appointed in respect of him, with the result that only one other of such persons who is not such a patient or so incapable remains in the partnership.

(12) In Schedule 3 to the 1995 Act—

- (a) the provisions in paragraph 1 as regards determining whether an individual is of good repute apply, in a case of a firm in respect of each of the partners of that firm as they apply to an individual; ^{F79}...

^{F80}(b)

^{F79}(c)

^{F81}(d)]

Textual Amendments

- F66** Words in reg. 29(3) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(a)(i)**
- F67** Word in reg. 29(3) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(1)(a)**
- F68** Reg. 29(3)(b) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(a)(ii)**
- F69** Word in reg. 29(3)(b) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(1)(b)**
- F70** Reg. 29(3)(c) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(1)(c)**
- F71** Words in reg. 29(4) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(b)**
- F72** Words in reg. 29(5) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(c)**
- F73** Reg. 29(7) substituted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(d)**
- F74** Words in reg. 29(7)(a) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(2)(a)**
- F75** Words in reg. 29(7)(c) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(2)(b)**
- F76** Reg. 29(7)(d) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(2)(c)**
- F77** Words in reg. 29(10) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2 (with arts. 1(3), 2, 7)**
- F78** Words in reg. 29(11)(b) substituted (E.W.) (1.10.2007) by [The Mental Capacity Act 2005 \(Transitional and Consequential Provisions\) Order 2007 \(S.I. 2007/1898\)](#), art. 1, **Sch. 1 para. 21(2)**
- F79** Reg. 29(12)(c) and word omitted (17.3.2022) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **62(3)**
- F80** Reg. 29(12)(b) omitted (5.10.2017) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(e)**

F81 Reg. 29(12)(d) and preceding word omitted (5.10.2017) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(e)**

Commencement Information

I28 Reg. 29 in force at 1.1.1996, see [reg. 1](#)

Holding companies and subsidiaries

30.—(1) A holding company may apply to [^{F82}a traffic commissioner]—

- (a) if it does not already hold a licence in respect [^{F83}of a particular traffic area,] for the issue of a licence [^{F84}in respect of that area]; or
- (b) if it already holds a licence in respect of that area, for a variation of its licence by a direction under section 17(1)(a),

which would have the effect, if the application were granted, of including in the licence to be issued to, or already held by, the holding company, goods vehicles in the lawful possession of a subsidiary of that company specified in the application.

(2) An application by a holding company under paragraph (1) shall, unless

- (a) the subsidiary is not the licence-holder; or
- (b) the licence or variation applied for by the holding company will not take effect until any licence held by the subsidiary has been surrendered or has otherwise terminated,

be accompanied by an application by the subsidiary for the variation of the licence held by the subsidiary by a direction under section 17(1)(b) for the removal therefrom of all or some of the goods vehicles authorised to be used thereunder, being the vehicles to which the application of the holding company relates.

(3) Where a holding company, on an application under paragraph (1) signifies to the traffic commissioner its desire that the provisions of this regulation should have effect as respects a subsidiary of that company, then, in relation to the application and to any licence granted to the holding company, or held by the holding company and varied, on that application, and to the use of any goods vehicles authorised to be used under any such licence, the 1995 Act and these Regulations shall have effect subject to the modifications specified in Schedule 2.

(4) The provisions of this regulation shall cease to have effect as respects a holding company and its subsidiary—

- (a) if the holding company gives notice to [^{F85}a traffic commissioner] that it desires that this regulation should, as from any date, cease to apply to the holding company and that subsidiary, as from that date; or
- (b) as from the date on which that subsidiary ceases to be a subsidiary of that holding company.

(5) Where by virtue of the provisions of paragraphs (1) to (3) a holding company holds a licence which includes goods vehicles in the lawful possession of a subsidiary of that company, and the holding company gives notice under paragraph (4)(a), then, in relation to any application by the subsidiary for the issue of a licence in respect of all or any of those vehicles, section 10 shall have effect as if for sub-section (1) there were substituted the following sub-section—

“(1) [^{F86}A traffic commissioner] may publish in the prescribed manner notice of any application [^{F86}which is received] for an operator’s licence made by a company or other body corporate in pursuance of Regulations made under section 46 of this Act.”.

(6) Where the provisions of this regulation cease to have effect as respects a holding company and its subsidiary by virtue of paragraph (4)(b) the company which was the holding company shall within 21 days of the event which caused the subsidiary to cease to be a subsidiary of that company—

- (a) notify [^{F87}a traffic commissioner], and
- (b) supply all material details of the event, and
- (c) return to [^{F88}a traffic commissioner] the licence and the discs relating to the motor vehicles authorised to be used thereunder,

and in so far as the holding company fails to satisfy those requirements the company which was the subsidiary company shall, on being so directed by [^{F88}a traffic commissioner], within 7 days of that direction supply the details, or return the licence and the discs, as the case may require.

(7) In a case where the applicant for, or the holder of, a standard licence is a holding company and the goods vehicles used, or to be used, under the licence belong to, or are in the possession of, a subsidiary of that holding company, the provisions of these Regulations apply as if—

- (a) the road transport undertaking and any [^{F89}establishment and any] operating centre of the subsidiary were the road transport undertaking and an [^{F89}establishment or] operating centre of the holding company;
- (b) for purposes of, or relating to, the reputation and financial standing of the holding company, the activities, relevant convictions and financial resources of the subsidiary were activities, convictions and resources of the holding company; and
- (c) in relation to a transport manager, his employment by the subsidiary were employment by the holding company.

[^{F90}(8) In this regulation, “road transport undertaking” means an undertaking that involves the use of a goods vehicle authorised to be used under an operator’s licence.]

Textual Amendments

- F82** Words in reg. 30(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F83** Words in reg. 30(1)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F84** Words in reg. 30(1)(a) inserted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F85** Words in reg. 30(4)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F86** Words in reg. 30(5) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F87** Words in reg. 30(6) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F88** Words in reg. 30(6)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F89** Words in reg. 30(7)(a) inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), 7
- F90** [Reg. 30\(8\)](#) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **63**

Commencement Information

- I29** Reg. 30 in force at 1.1.1996, see [reg. 1](#)

Continuance of licence on death, bankruptcy etc

31.—(1) In this regulation, “actual holder” in relation to a licence means the person to whom the licence was issued.

(2) This regulation applies in the event—

- (a) of the death of the actual holder of a licence;
- (b) of the actual holder of a licence becoming a ^{F91}person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to carry on the activities covered by the licence], or in Scotland a curator bonis being appointed in respect of him on the ground that he is incapable, by reason of mental disorder, of adequately managing his property and affairs;
- (c) of the bankruptcy of the actual holder of a licence ^{F92}or the making of a debt relief order in respect of the actual holder of a licence (under Part 7A of the Insolvency Act 1986)];
- (d) in the case of a company, of the actual holder of a licence going into liquidation or ^{F93}entering administration]; or
- (e) of the appointment of a receiver or manager of the trade or business of the actual holder of a licence.

(3) After the happening of either of the events mentioned in paragraphs (2)(a) or (b) ^{F94}a traffic commissioner] may direct that the licence shall not be treated as terminated when the actual holder died or became a ^{F95}person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to carry on the activities covered by the licence] but suspended until the date when a direction under paragraph (4) comes into force.

(4) After the happening of any of the events mentioned in paragraph (2) ^{F96}a traffic commissioner] may direct that a person carrying on the trade or business of the actual holder of the licence is to be treated for the purposes of the 1995 Act as if he were the holder thereof for such purpose and to such extent as is specified in the direction for a period not exceeding—

- (a) if it appears to the traffic commissioner that there are special circumstances, 18 months;
- (b) in any other case, 12 months,

from the date of the coming into force of that direction.

(5) The powers under paragraph (4) shall be exercisable in relation to a standard licence whether or not the person carrying on the trade or business of the actual holder of the licence satisfies the requirement of professional competence.

^{F97}(5A) In the case of a standard licence, paragraphs (4) and (5) are subject to Article 13.1 of the 2009 Regulation (time limits for rectification).]

(6) Where a person is treated as if he were the licence-holder by virtue of a direction under this regulation—

- (a) any goods vehicle which had been in the lawful possession of the actual holder of the licence shall for the purposes of the 1995 Act be treated as if it was in the lawful possession of that person; and
- (b) if the licence is a standard licence, nothing in section 27 shall oblige ^{F98}a traffic commissioner] to revoke the licence by reason only of that person not satisfying the requirement of professional competence.

Textual Amendments

F91 Words in reg. 31(2) substituted (E.W.) (1.10.2007) by [The Mental Capacity Act 2005 \(Transitional and Consequential Provisions\) Order 2007 \(S.I. 2007/1898\)](#), art. 1, **Sch. 1 para. 21(3)(a)**

- F92** Words in reg. 31(2)(c) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 3 para. 9** (with art. 7)
- F93** Words in reg. 31(2)(d) substituted (15.9.2003) by [The Enterprise Act 2002 \(Insolvency\) Order 2003 \(S.I. 2003/2096\)](#), art. 1(1), **Sch. para. 60** (with art. 6)
- F94** Words in reg. 31(3) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F95** Words in reg. 31(3) substituted (E.W.) (1.10.2007) by [The Mental Capacity Act 2005 \(Transitional and Consequential Provisions\) Order 2007 \(S.I. 2007/1898\)](#), art. 1, **Sch. 1 para. 21(3)(b)**
- F96** Words in reg. 31(4) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F97** Reg. 31(5A) inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **8**
- F98** Words in reg. 31(6)(b) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I30** Reg. 31 in force at 1.1.1996, see [reg. 1](#)

Offences

32. Any contravention of, or failure to comply with, a provision in regulations 23(3), 23(4), 25, 26, 27(1), 27(3), 28(1), 28(2), 28(3), 28(4) or 30(6), is hereby declared to be an offence and for the purposes of section 57(9) any provision mentioned above shall be regarded as made under the 1995 Act.

Commencement Information

- I31** Reg. 32 in force at 1.1.1996, see [reg. 1](#)

Classes of vehicle for which a licence is not required

33.—(1) The classes of vehicle specified under section 2(2)(d) as those to which section 2(1) does not apply are the classes mentioned in [F99Parts 1 and 3] of Schedule 3.

(2) The relevant plated weight of a goods vehicle, for the purposes of Schedule 1 to the 1995 Act (meaning of “small goods vehicle”) is the gross weight not to be exceeded in Great Britain of the vehicle as shown on a Ministry plate as defined in column 2 of the Table in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 or, if no such plate has been issued in respect of that vehicle, the maximum gross weight of the vehicle as shown on a plate affixed to the vehicle by virtue of regulation 66 of those Regulations.

Textual Amendments

- F99** Words in [reg. 33\(1\)](#) substituted (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **5**

Commencement Information

- I32** Reg. 33 in force at 1.1.1996, see [reg. 1](#)

[^{F100}Modification of the 1995 Act and these Regulations for international operators

33A.—(1) This regulation applies in relation to vehicles that are—

- (a) brought temporarily into Great Britain by an international operator,
- (b) not subject to a relevant international agreement,
- (c) engaged in carrying goods by road on a journey some part of which has taken place, or will take place, outside the United Kingdom, and
- (d) not used at any time during that journey for the carriage of goods loaded at one place in the United Kingdom and delivered at another place in the United Kingdom.

(2) The 1995 Act and these Regulations have effect subject to the modifications set out in Schedule 3A.

(3) In this regulation “relevant international agreement” has the meaning given in section 1(4) of the Haulage Permits and Trailer Registration Act 2018]

Textual Amendments

F100 Reg. 33A inserted (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, 6

Period for service of notice of review on ground of procedural irregularity

34. The period prescribed for the purposes of section 36(2) is two months.

Commencement Information

I33 Reg. 34 in force at 1.1.1996, see [reg. 1](#)

Manner of service of notice of review on ground of procedural irregularity

35. Paragraph 6 of Schedule 4 shall have effect in relation to the serving of notices by [^{F101a} traffic commissioner] on the applicant or (as the case may be) the licence-holder which state his intention to review a decision referred to in section 36(1), and in such a case “section 36(2)(a)” shall be substituted for “this Schedule” in sub-paragraph (1) of that paragraph.

Textual Amendments

F101 Words in reg. 35 substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Commencement Information

I34 Reg. 35 in force at 1.1.1996, see [reg. 1](#)

Meaning of “relevant weight”

36.—(1) A motor vehicle or trailer of any prescribed class referred to in section 5(3) means any vehicle described in section 2(1) as needing an operator’s licence, and the relevant weight of such a vehicle is its revenue weight.

(2) For purposes of this regulation “revenue weight” shall have the meaning given in section 60A of the Vehicle Excise and Registration Act 1994.

- (3) In its application to this regulation, section 60A of that Act shall have effect as if—
- (a) subsection (6) of that section were omitted; and
 - (b) no provision had been made under section 61A(2) of that Act.

Commencement Information

I35 Reg. 36 in force at 1.1.1996, see [reg. 1](#)

[^{F102}Review

- 37.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of the regulatory provision contained in—
 - (i) the definition of “alternative fuel” in regulation 3(2),
 - (ii) paragraphs 15(a), 21 and 31 of Schedule 3, and
 - (b) publish a report setting out the conclusions of the review.
- (2) The first report must be published before 1st September 2023.
- (3) Subsequent reports must be published at intervals not exceeding 5 years.
- (4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
 - (b) assess the extent to which those objectives are achieved,
 - (c) assess whether those objectives remain appropriate, and
 - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).]

Textual Amendments

F102 [Reg. 37](#) inserted (1.9.2018) by [The Goods and Motor Vehicles \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/25\)](#), regs. 1, **2(3)**

Signed by authority of the Secretary of State for Transport

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

SCHEDULE 1

Regulation 7(2)

[^{F103}Notice of application for heavy goods vehicle licence or variation of heavy goods vehicle licence]

Textual Amendments

F103 Sch. 1 heading substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **64(1)**

1. Information to be given in Notice of Application—

- (a) Name of applicant.
- (b) Trading name, if any.
- (c) Address for receipt of correspondence.
- (d) Whether the application is in respect of a new licence, or the variation of a licence.
- (e) The place or places proposed to be used as an operating centre or centres (including, if available, the postal address or addresses).
- (f) The number of [^{F104}heavy goods vehicles] proposed to be kept at each operating centre or centres.
- (g) The number of [^{F105}heavy goods vehicles] now kept, if different.
- (h) In respect of an existing licence, details of any proposed changes to or removal of existing conditions or undertakings affecting an operating centre.

Textual Amendments

F104 Words in Sch. 1 para. 1(f) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **64(2)**

F105 Words in Sch. 1 para. 1(g) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **64(2)**

Commencement Information

I36 Sch. 1 para. 1 in force at 1.1.1996, see [reg. 1](#)

2. Every notice shall contain the following wording:

“Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at [^{F106}*specify the address*] stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to making representations is available from [^{F106}*specify the address*].”

Textual Amendments

F106 Words in Sch. 1 para. 2 substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

I37 Sch. 1 para. 2 in force at 1.1.1996, see [reg. 1](#)

SCHEDULE 2

Regulation 30(3)

MODIFICATIONS IN RELATION TO HOLDING COMPANIES AND SUB SIDIARIES

1. The 1995 Act and these Regulations have effect as if any reference (except in this Schedule) to a provision which is modified by this Schedule were a reference to that provision as so modified.

Commencement Information

I38 Sch. 2 para. 1 in force at 1.1.1996, see [reg. 1](#)

2. The 1995 Act has effect as if—
- (a) goods vehicles in the lawful possession of the subsidiary were in the lawful possession of the holding company;
 - (b) where a goods vehicle is used in circumstances in which, but for the provisions of regulation 30 the subsidiary would be deemed to be the user, the holding company were the user;
 - (c) a trade or business carried on by the subsidiary were carried on by the holding company;
 - (d) the subsidiary were an applicant for the grant or variation of the licence;
 - (e) any [^{F107}establishment and any] operating centre of the subsidiary were an [^{F107}establishment or] operating centre of the holding company;
 - (f) any person who is a director of the subsidiary were a director of the holding company;
 - (g) any person who is an employee of the subsidiary were an employee of the holding company;
 - (h) for section 10(1) there were substituted the following sub-section—

“(1) [^{F108}A traffic commissioner] may publish in the prescribed manner notice of any application [^{F108}which is received] for an operator’s licence made by a company or other body corporate in pursuance of Regulations made under section 46 of this Act”;
 - (i) in section 22(1) the reference in paragraph (b) to persons holding shares in the company included a reference to persons holding shares in the subsidiary, and the reference in paragraph (c) to the licence-holder included a reference to the subsidiary;
 - (j) in section 17(3) for the words “Except in the case mentioned in subsection (4), [^{F109}a traffic commissioner] shall publish” there were substituted “In the case of an application for a direction under subsection (1)(a) of this section made by a company or other body corporate in pursuance of Regulations made under section 46 of this Act, [^{F109}a traffic commissioner] may publish”;
 - (k) in section 26(1) the references in paragraphs (a), (b), (d), (e), (g) and (h) to the licence-holder included references to the subsidiary;
 - (l) in section 26(5) the reference to the licence-holder included a reference to the subsidiary;
 - (m) in section 26(1)(c) the references to the licence-holder or any servant or agent of his included references to the subsidiary or any servant or agent of it, and as if the reference

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

- in sub-paragraph (iii) to a vehicle of which the licence-holder was the owner included a reference to a vehicle of which the subsidiary was the owner;
- (n) in section 28(1) the reference to the licence-holder included a reference to the subsidiary;
- (o) in section 28(4)(a) after sub-paragraph (ii) there were inserted the following sub-paragraph—
- “(iii) a company which is a subsidiary of such a company; or”;
- (p) in section 28(5) there were substituted for paragraph (a) “where that person is a company or other body corporate which is the licence-holder in respect of a subsidiary of that company or other body corporate in pursuance of Regulations made under section 46 of this Act, in relation to any director of that company or other body corporate or of that subsidiary.”.

Textual Amendments

- F107** Words in Sch. 2 para. 2(e) inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **9**
- F108** Words in Sch. 2 para. 2(h) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F109** Words in Sch. 2 para. 2(j) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

- I39** Sch. 2 para. 2 in force at 1.1.1996, see [reg. 1](#)

3. These Regulations shall have effect as if—
- (a) in section 8 the reference to an operating centre of the applicant included a reference to an operating centre of the subsidiary;
- (b) in regulation 26 the reference to the licence-holder included a reference to the subsidiary.

Commencement Information

- I40** Sch. 2 para. 3 in force at 1.1.1996, see [reg. 1](#)

SCHEDULE 3

Regulation 33

CLASSES OF VEHICLES FOR WHICH A LICENCE IS NOT REQUIRED

PART I

1. Any tractor as defined in paragraph 4(3) of Part IV of Schedule 1 to the Vehicle Excise and Registration Act 1994 (as originally enacted) while being used for one or more of the purposes specified in Part II of this Schedule.

Commencement Information

I41 Sch. 3 Pt. I para. 1 in force at 1.1.1996, see [reg. 1](#)

2. A dual-purpose vehicle and any trailer drawn by it.

Commencement Information

I42 Sch. 3 Pt. I para. 2 in force at 1.1.1996, see [reg. 1](#)

3. A vehicle used on a road only in passing from private premises to other private premises in the immediate neighbourhood belonging (except in the case of a vehicle so used only in connection with excavation or demolition) to the same person, provided that the distance travelled on a road by any such vehicle does not exceed in the aggregate 9.654 kilometres, (6 miles), in any one week.

Commencement Information

I43 Sch. 3 Pt. I para. 3 in force at 1.1.1996, see [reg. 1](#)

4. A motor vehicle constructed or adapted primarily for the carriage of passengers and their effects, and any trailer drawn by it, while being so used.

Commencement Information

I44 Sch. 3 Pt. I para. 4 in force at 1.1.1996, see [reg. 1](#)

5. A vehicle which is being used for funerals.

Commencement Information

I45 Sch. 3 Pt. I para. 5 in force at 1.1.1996, see [reg. 1](#)

6. A vehicle which is being used for police, [^{F110}Scottish Fire and Rescue Service][^{F111}or, in England or Wales, fire and rescue authority] or ambulance [^{F112}or Serious Organised Crime Agency] purposes.

Textual Amendments

F110 Words in Sch. 3 Pt. 1 para. 6 substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 73**

F111 Words in Sch. 3 Pt. 1 para. 6 inserted (E.) (30.12.2004) by virtue of [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(England\) Order 2004 \(S.I. 2004/3168\)](#), arts. 1(1), **35** and words in Sch. 3 para. 6 inserted (W.) (25.10.2005) by virtue of [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(Wales\) Order 2005 \(S.I. 2005/2929\)](#), arts. 1(1), **35**

F112 Words in Sch. 3 pt. 1 para. 6 inserted (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, **Sch. para. 12**

Commencement Information

I46 Sch. 3 Pt. I para. 6 in force at 1.1.1996, see [reg. 1](#)

7. A vehicle which is being used for fire-fighting or rescue operations at mines.

Commencement Information

I47 Sch. 3 Pt. I para. 7 in force at 1.1.1996, see [reg. 1](#)

8. A vehicle on which no permanent body has been constructed, which is being used only for carrying burden which either is carried solely for the purpose of test or trial, or consists of articles and equipment which will form part of the completed vehicle when the body is constructed.

Commencement Information

I48 Sch. 3 Pt. I para. 8 in force at 1.1.1996, see [reg. 1](#)

9. A vehicle which is being used under a trade licence.

Commencement Information

I49 Sch. 3 Pt. I para. 9 in force at 1.1.1996, see [reg. 1](#)

10. A vehicle in the service of a visiting force or of a headquarters [^{F113}within the meaning of article 8(9) of the Visiting Forces and International Headquarters (Application of Law) Order 1999].

Textual Amendments

F113 Words in Sch. 3 Pt. 1 para. 10 inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **10**

Commencement Information

I50 Sch. 3 Pt. I para. 10 in force at 1.1.1996, see [reg. 1](#)

11. A vehicle used by or under the control of Her Majesty's United Kingdom forces.

Commencement Information

I51 Sch. 3 Pt. I para. 11 in force at 1.1.1996, see [reg. 1](#)

12. A trailer not constructed primarily for the carriage of goods but which is being used incidentally for that purpose in connection with the construction, maintenance or repair of roads.

Commencement Information

I52 Sch. 3 Pt. I para. 12 in force at 1.1.1996, see [reg. 1](#)

13. A road roller and any trailer drawn by it.

Commencement Information

I53 Sch. 3 Pt. I para. 13 in force at 1.1.1996, see [reg. 1](#)

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

14. A vehicle while being used under the direction of HM Coastguard or of the Royal National Lifeboat Institution for the carriage of life-boats, life-saving appliances or crew.

Commencement Information

I54 Sch. 3 Pt. I para. 14 in force at 1.1.1996, see [reg. 1](#)

15. A vehicle fitted with a machine, appliance, apparatus or other contrivance which is a permanent or essentially permanent fixture, provided that the only goods carried on the vehicle are—

- [^{F114}(a) water, fuel, accumulators and other equipment used for the purpose of propulsion or the running of the vehicle, loose tools and loose equipment;]
- (b) to be mixed by the machine, appliance, apparatus or contrivance with other goods not carried on the vehicle on a road in order to thrash, grade, clean or chemically treat grain;
 - (c) to be mixed by the machine, appliance, apparatus or contrivance with other goods not carried on the vehicle in order to make fodder for animals; or
 - (d) mud or other matter swept up from the surface of a road by the use of the machine, appliance, apparatus or other contrivance.

Textual Amendments

F114 Sch. 3 Pt. 1 para. 15(a) substituted (1.9.2018) by [The Goods and Motor Vehicles \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/25\)](#), regs. 1, **2(4)(a)**

Commencement Information

I55 Sch. 3 Pt. I para. 15 in force at 1.1.1996, see [reg. 1](#)

16. A vehicle while being used by a local authority for the purposes of the enactments relating to weights and measures or the sale of food and drugs.

Commencement Information

I56 Sch. 3 Pt. I para. 16 in force at 1.1.1996, see [reg. 1](#)

17. A vehicle while being used by a local authority in the discharge of any function conferred on or exercisable by that authority under Regulations made under the Civil Defence Act 1948 ^{M12}.

Commencement Information

I57 Sch. 3 Pt. I para. 17 in force at 1.1.1996, see [reg. 1](#)

Marginal Citations

M12 [1948 c.5](#), (12, 13 & 14 Geo. 6).

18. A steam-propelled vehicle.

Commencement Information

I58 Sch. 3 Pt. I para. 18 in force at 1.1.1996, see [reg. 1](#)

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

19. A tower wagon or trailer drawn thereby, provided that the only goods carried on the trailer are goods required for use in connection with the work on which the tower wagon is ordinarily used as such.

Commencement Information

I59 Sch. 3 Pt. 1 para. 19 in force at 1.1.1996, see [reg. 1](#)

20. A vehicle while being used for the carriage of goods within an aerodrome within the meaning of section 105(1) of the Civil Aviation Act 1982 ^{M13}.

Commencement Information

I60 Sch. 3 Pt. 1 para. 20 in force at 1.1.1996, see [reg. 1](#)

Marginal Citations

M13 1982 c.16.

21. An electrically propelled vehicle [^{F115}first registered before 1st March 2015].

Textual Amendments

F115 Words in Sch. 3 Pt. 1 para. 21 inserted (1.9.2018) by [The Goods and Motor Vehicles \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/25\)](#), regs. 1, **2(4)(b)**

Commencement Information

I61 Sch. 3 Pt. 1 para. 21 in force at 1.1.1996, see [reg. 1](#)

22. A showman's goods vehicle and any trailer drawn thereby.

Commencement Information

I62 Sch. 3 Pt. 1 para. 22 in force at 1.1.1996, see [reg. 1](#)

^{F116}**22A.**

Textual Amendments

F116 Sch. 3 Pt. 1 para. 22A omitted (1.10.2023) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **7(1)**

^{F117}**23.**

Textual Amendments

F117 Sch. 3 Pt. 1 para. 23 omitted (1.10.2023) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **7(1)**

[^{F118}**23A.**—(1) A vehicle which is being used in Great Britain to carry out a cabotage operation—

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

- (a) which consists of national carriage for hire or reward by a haulier who is a holder of a Community licence and whose driver, if a national of a country which is not a member State, holds a ^{F119}EU driver attestation];
- (b) where the vehicle is being used only for the carriage of vehicles in categories M₁ and N₁, as defined in ^{F120}Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles]; and
- (c) the vehicle is being used at any time during a period beginning with—
 - (i) 22nd February and ending with 31st March; or
 - (ii) 25th August and ending with 30th September.

(2) In this paragraph “Community licence” and “^{F121}EU driver attestation]” have the same meanings as in Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market.”]

Textual Amendments

- F118** Sch. 3 Pt. 1 para. 23A inserted (15.8.2013) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2013 \(S.I. 2013/1750\)](#), regs. 1, **2(2)**
- F119** Words in Sch. 3 Pt. 1 para. 23A(1)(a) substituted (31.12.2020) by [The Licensing of Operators and International Road Haulage \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/708\)](#), regs. 1(1), **4(2)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F120** Words in Sch. 3 Pt. 1 para. 23A(1)(b) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 10(2)** (with Sch. 4 paras. 16, 17)
- F121** Words in Sch. 3 Pt. 1 para. 23A(2) substituted (31.12.2020) by [The Licensing of Operators and International Road Haulage \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/708\)](#), regs. 1(1), **4(2)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F122}**23B.**

Textual Amendments

- F122** Sch. 3 Pt. 1 para. 23B omitted (1.10.2023) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **7(1)**

24. A goods vehicle first used before 1 January 1977 which has an unladen weight not exceeding 1525 kilograms and for which the maximum gross weight, as shown on a plate affixed to the vehicle by virtue of regulation 66 of the Motor Vehicles (Construction and Use) Regulations 1986 or any provision which that regulation replaced, exceeds 3500 kilograms but does not exceed 3556.21 kilograms (3½ tons).

Commencement Information

- I63** Sch. 3 Pt. 1 para. 24 in force at 1.1.1996, see [reg. 1](#)

25. A vehicle while being used by a highway authority for the purposes of section 196 the Road Traffic Act 1988 ^{M14}.

Commencement Information

I64 Sch. 3 Pt. I para. 25 in force at 1.1.1996, see [reg. 1](#)

Marginal Citations

M14 1988 c.52; to which there are amendments not relevant to this provision.

26. A vehicle being held ready for use in an emergency by an undertaking for the supply of water, electricity, gas or telephone services.

Commencement Information

I65 Sch. 3 Pt. I para. 26 in force at 1.1.1996, see [reg. 1](#)

27. A recovery vehicle.

Commencement Information

I66 Sch. 3 Pt. I para. 27 in force at 1.1.1996, see [reg. 1](#)

28. A vehicle which is being used for snow clearing, or for the distribution of grit, salt or other materials on frosted, icebound or snow-covered roads or for going to or from the place where it is to be used for the said purposes or for any other purpose directly connected with those purposes.

Commencement Information

I67 Sch. 3 Pt. I para. 28 in force at 1.1.1996, see [reg. 1](#)

29. A vehicle proceeding to or from a station provided by the Secretary of State under section 45 of the Road Traffic Act 1988 for the purposes of an examination of that vehicle under that section provided that—

- (a) the only load being carried is a load required for the purposes of the examination; and
- (b) it is being carried at the request of the Secretary of State.

Commencement Information

I68 Sch. 3 Pt. I para. 29 in force at 1.1.1996, see [reg. 1](#)

^[F123]**30.** A vehicle in a category or sub-category listed in column 1 of Table 2 in regulation 37 of the Motor Vehicles (Driving Licences) Regulations 1999, provided that—

- (a) no goods are being carried on the vehicle or trailer other than any that may be carried on the vehicle for the purposes of a practical test of driving skills and behaviour, as prescribed in that regulation 37;
- (b) any goods that are being carried on the vehicle or trailer are being carried only for the purposes of driver instruction and not otherwise—
 - (i) for hire or reward, or
 - (ii) for or in connection with any trade or business; and
- (c) the vehicle is—

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

- (i) being used for the instruction of a driver who has not passed a test of competence to drive that class of vehicle under section 89 of the Road Traffic Act 1988;
- (ii) proceeding to or from a test of competence to drive that class of vehicle under section 89 of the Road Traffic Act 1988 or being used in such a test; or
- (iii) being used in the course of—
 - (aa) a driving lesson for the purpose of enabling a person to obtain a CPC within the meaning of the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007;
 - (bb) periodic training as defined in regulation 2(1) of the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007; or
 - (cc) an initial CPC test as defined in regulation 2(1) of the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007;]

Textual Amendments

F123 Sch. 3 Pt. 1 para. 30 inserted (15.8.2013) by [The Motor Vehicles \(Driver Testing and Vehicle Load\) Regulations 2013 \(S.I. 2013/1753\)](#), regs. 1(1), 4

[^{F124}**31**. A vehicle—

- (a) fuelled entirely by alternative fuel,
- (b) with a [^{F125}maximum laden weight] not exceeding 4.25 tonnes,
- (c) currently used in Great Britain for the carriage of goods, and
- (d) which has not been so used outside Great Britain.]

Textual Amendments

F124 Sch. 3 Pt. 1 para. 31 inserted (1.9.2018) by [The Goods and Motor Vehicles \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/25\)](#), regs. 1, **2(4)(c)**

F125 Words in Sch. 3 Pt. 1 para. 31(b) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **65**

PART II

PURPOSES REFERRED TO IN PARAGRAPH 1 OF PART I OF THIS SCHEDULE

[^{F126}**32**]. Hauling—

- (a) threshing appliances;
- (b) farming implements;
- (c) a living van for the accommodation of persons employed to drive the tractor; or
- (d) supplies of water or fuel required for the tractor.

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, **7(2)**

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F126}33]. Hauling articles for a farm required by the keeper, being either the occupier of the farm or a contractor employed to do agricultural work on the farm by the occupier of the farm.

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, 7(2)

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F126}34]. Hauling articles for a forestry estate required by the keeper where the keeper is the occupier of that estate or employed to do forestry work on the estate by the occupier or a contractor employed to do forestry work on the estate by the occupier.

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, 7(2)

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F126}35]. Hauling within 24.135 kilometres, (15 miles), of a farm or a forestry estate occupied by the keeper, agricultural or woodland produce of that farm or estate.

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, 7(2)

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F126}36]. Hauling within 24.135 kilometres, (15 miles), of a farm or a forestry estate occupied by the keeper, material to be spread on roads to deal with frost, ice or snow.

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, 7(2)

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F126}37]. Hauling a snow plough or a similar contrivance for the purpose of clearing snow; and

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023](#) (S.I. 2023/805), [regs. 1, 7\(2\)](#)

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F126}38]. Hauling—

- (a) soil for landscaping or similar works; or
- (b) a mowing machine,

where the keeper is a local authority.

Textual Amendments

F126 Sch. 3 Pt. 2 paras. 1-7 renumbered as Sch. 3 Pt. 2 paras. 32-38 (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023](#) (S.I. 2023/805), [regs. 1, 7\(2\)](#)

Commencement Information

I69 Sch. 3 Pt. 2 in force at 1.1.1996, see [reg. 1](#)

[^{F127}PART 3

Vehicles brought temporarily into Great Britain

Textual Amendments

F127 Sch. 3 Pt. 3 inserted (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023](#) (S.I. 2023/805), [regs. 1, 7\(3\)](#)

Interpretation of Part 3

39.—(1) In this Part—

“EUR 2005/1” means Council Regulation ([EC](#)) [No 1/2005](#) of 22 December 2004 on the protection of animals during transport and related operations and amending Directives [64/432/EEC](#) and [93/119/EC](#) and Regulation ([EC](#)) [No 1255/97](#);

“international carriage” means, except in paragraph 67, in relation to goods, the carriage of those goods by road—

- (a) from the United Kingdom to any other country, or vice versa, or

- (b) through the United Kingdom from, and to, any other country;
- “kerbside weight” means the mass of a goods vehicle when it carries nothing other than—
- (a) a full supply of fuel in its fuel tank,
 - (b) an adequate supply of other liquids incidental to its propulsion, and
 - (c) any loose tools and equipment with which it is normally equipped;
- “livestock” includes the following domesticated animals—
- (a) bovids, which includes buffalo, cattle, deer, goats, sheep and yaks;
 - (b) camelids, which includes alpacas and llamas;
 - (c) cervids, which includes deer and elk;
 - (d) equids, which includes asses, hinnies, horses and mules;
 - (e) fowl, which includes chickens, ducks, geese, pheasants and turkeys;
 - (f) pigs;
- “livestock vehicle” means a goods vehicle—
- (a) being used for the transport of livestock, and
 - (b) in respect of which a certificate of approval of means of transport by road has been granted under Article 18 of EUR 2005/1;
- “maximum payload weight” means, in relation to a goods vehicle, the difference in mass between the kerbside weight of the vehicle and the maximum laden weight of the vehicle;
- “medical supplies” includes—
- (a) medical appliances, equipment and products;
 - (b) medicines and medicaments;
- “medium-weight vehicle” means a motor vehicle or a vehicle combination with either or both—
- (a) a maximum laden weight not exceeding 6 tonnes;
 - (b) a maximum payload weight not exceeding 3.5 tonnes;
- “moving vehicle” means a goods vehicle—
- (a) on a journey for the relocation of furniture or other moveable effects, and
 - (b) being used by a person who uses specialised equipment and personnel for carrying out relocations;
- “non-commercial basis” has the meaning given in sub-paragraph (2);
- “own account” has the meaning given in sub-paragraph (3);
- “passenger vehicle” means a motor vehicle designed for the transport of eight or more persons, not including the driver, with or without a trailer for carrying baggage;
- “postal packet” means a letter, parcel, packet or other article transmissible by post;
- “vehicle used for recovery” means a goods vehicle on a journey to remove, repair, replace, return or support a goods vehicle of another class specified in this Part that has broken-down;
- “the UK-Switzerland Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Swiss Federal Council on the International Carriage of Passengers and Goods by Road done at Davos on 25th January 2019;
- “the UK-USSR Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of

Changes to legislation: There are currently no known outstanding effects for the Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

Soviet Socialist Republics concerning International Road Transport with Administrative Memorandum done at London on 22nd January 1988.

(2) The operator of a goods vehicle uses it for the carriage of goods on a “non-commercial basis” if—

- (a) the purpose of the carriage is not to directly or indirectly generate any profit, or
- (b) the goods will be—
 - (i) exhausted in the destination country, or
 - (ii) used temporarily before being returned to the country of origin without alteration.

(3) The person using the vehicle (“the user”) uses it for the carriage of goods on “own account” if—

- (a) the user—
 - (i) owns the goods, or
 - (ii) has bought, extracted, hired, let out on hire, processed, produced, repaired or sold the goods,
- (b) the vehicle is—
 - (i) hired, leased or owned by the user, and
 - (ii) driven by the user or a person under a contract of service with the user,
- (c) the goods are carried—
 - (i) from or to the user’s premises, or
 - (ii) between other places for the user’s own requirements, and
- (d) the carriage of the goods is no more than ancillary to the overall activities of the user.

Vehicles used by operators authorised etc. in Northern Ireland

40.—(1) A Northern Ireland vehicle—

- (a) brought temporarily into Great Britain by a Northern Ireland operator, and
- (b) used by the operator for the carriage of goods for hire or reward.

(2) A Northern Ireland vehicle—

- (a) brought temporarily into Great Britain by a Northern Ireland operator,
- (b) used by the operator for the carriage of goods other than for hire or reward, and
- (c) the driver of which carries a document that sets out the following information—
 - (i) the name and address of the driver,
 - (ii) the name and address of the Northern Ireland operator,
 - (iii) the nature of the trade or business of the operator,
 - (iv) a description of the goods being carried,
 - (v) the loading and unloading locations for the goods being carried,
 - (vi) the number plate of the vehicle, and
 - (vii) the route of the Northern Ireland vehicle.

(3) In this paragraph—

“Northern Ireland licence” means a licence issued to an operator under the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010;

“Northern Ireland operator” means, in relation to a Northern Ireland vehicle—

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

- (a) the person who holds the Northern Ireland licence under which the vehicle is authorised to be used, or
- (b) where the vehicle is not required to be authorised to be used under a Northern Ireland licence, an operator of the vehicle who has their principal place of business in Northern Ireland;

“Northern Ireland vehicle” means—

- (a) a motor vehicle or trailer—
 - (i) the operating centre of which is in Northern Ireland,
 - (ii) not used in the manner described in section 2(2)(c) of the 1995 Act, and
 - (iii) in the case of a motor vehicle, registered in Northern Ireland or Great Britain, or
- (b) a vehicle combination—
 - (i) not used in the manner described in section 2(2)(c) of the 1995 Act, and
 - (ii) which consists of—
 - (aa) a motor vehicle registered in Northern Ireland or Great Britain, the operating centre of which is in Northern Ireland, and
 - (bb) a trailer;

“operating centre”, in relation to any motor vehicle or trailer, means the base or centre at which it is normally kept.

Vehicles used by operators authorised in Albania

41.—(1) An Albania vehicle—

- (a) brought temporarily into Great Britain by an Albania operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Albania operator” means a person who is—

- (a) authorised under the law of Albania to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Albania Agreement;

“Albania vehicle” means—

- (a) a motor vehicle registered in Albania, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Albania, and
 - (ii) a trailer;

“the UK-Albania Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Albania on International Road Transport done at Rome on 9th February 1993.

Vehicles used by operators authorised in Armenia

42.—(1) An Armenia vehicle—

- (a) brought temporarily into Great Britain by an Armenia operator,

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Armenia, or vice versa, and
 - (c) which is—
 - (i) a vehicle used for recovery,
 - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
- (a) a broken-down or damaged goods vehicle or passenger vehicle;
 - (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
 - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
 - (c) postal packets;
 - (d) the remains of a deceased individual.
- (3) An Armenia vehicle—
- (a) brought temporarily into Great Britain by an Armenia operator,
 - (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Armenia, or vice versa,
 - (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
 - (d) on which the driver of the vehicle is carrying the permit.
- (4) In this paragraph—
- “Armenia operator” means a person who is—
- (a) authorised under the law of Armenia to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;
- “Armenia vehicle” means—
- (a) a motor vehicle registered in Armenia, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Armenia, and
 - (ii) a trailer.

Vehicles used by operators authorised in Azerbaijan

- 43.—**(1) An Azerbaijan vehicle—
- (a) brought temporarily into Great Britain by an Azerbaijan operator,
 - (b) used by the operator for the international carriage of goods, and
 - (c) which is any of the following—

- (i) a livestock vehicle;
 - (ii) a medium-weight vehicle;
 - (iii) a vehicle used for recovery;
 - (iv) a newly-acquired unladen vehicle being delivered to its final destination;
 - (v) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
 - (vi) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 of the UK-Azerbaijan Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
- (a) a broken-down or damaged goods vehicle;
 - (b) goods carried on a non-commercial basis for—
 - (i) a cinematographic, circus, musical or theatrical performance;
 - (ii) an exhibition or sports event;
 - (iii) a fair, fête or other event;
 - (iii) a film, radio or television production;
 - (c) goods carried from or to an airport in support of an air service that has been diverted;
 - (d) goods carried on own account;
 - (e) goods transported during resettlement;
 - (f) medical supplies for use in the event of a natural disaster or other emergency;
 - (g) postal packets;
 - (h) the remains of a deceased individual;
 - (i) spare parts to repair an aircraft or ocean-going ship.
- (3) In this paragraph—
- “Azerbaijan operator” means a person who is—
- (a) authorised under the law of Azerbaijan to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to an exclusion notice issued to the person pursuant to Article 14(1)(c) of the UK-Azerbaijan Agreement;
- “Azerbaijan vehicle” means—
- (a) a motor vehicle registered in Azerbaijan, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Azerbaijan, and
 - (ii) a trailer;
- “the UK-Azerbaijan Agreement” means the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Azerbaijan on International Road Transport done at Baku on 23 February 2023.

Vehicles used by operators authorised in Belarus

- 44.—**(1) A Belarus vehicle—
- (a) brought temporarily into Great Britain by a Belarus operator,

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

- (b) used by the operator for the international carriage of goods, and
 - (c) which is any of the following—
 - (i) a medium-weight vehicle;
 - (ii) a moving vehicle;
 - (iii) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
 - (iv) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 of the UK-Belarus Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
- (a) a broken-down or damaged vehicle;
 - (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a funfair, or a sports event, or
 - (ii) to be used temporarily for a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a funfair, or a sports event, before being removed from that country to any other country;
 - (c) goods for humanitarian aid;
 - (d) postal packets;
 - (e) the remains of a deceased individual.
- (3) In this paragraph—
- “Belarus operator” means a person who is—
- (a) authorised under the law of Belarus to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to a ban issued to the person pursuant to Article 11(1)(c) of the UK-Belarus Agreement;
- “Belarus vehicle” means—
- (a) a motor vehicle registered in Belarus, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Belarus, and
 - (ii) a trailer;
- “the UK-Belarus Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Belarus concerning International Motor Vehicle Carriage done at Minsk on 18th March 2019.

Vehicles used by operators authorised in Bosnia and Herzegovina

- 45.**—(1) A Bosnia and Herzegovina vehicle—
- (a) brought temporarily into Great Britain by a Bosnia and Herzegovina operator, and
 - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—
- “Bosnia and Herzegovina operator” means a person who—

- (a) is authorised under the law of Bosnia and Herzegovina to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Bosnia and Herzegovina Agreement, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Bosnia and Herzegovina that is comparable to a standard licence;

“Bosnia and Herzegovina vehicle” means—

- (a) a motor vehicle registered in Bosnia and Herzegovina, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Bosnia and Herzegovina, and
 - (ii) a trailer;

“the UK-Bosnia and Herzegovina Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Council of Ministers of Bosnia and Herzegovina on International Road Transport done at Sarajevo on 1st December 2020.

Vehicles used by operators authorised in Georgia

46.—(1) A Georgia vehicle—

- (a) brought temporarily into Great Britain by a Georgia operator,
- (b) used by the operator for the international carriage of goods, and
- (c) used by the operator for—
 - (i) the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (ii) the carriage of goods under a permit issued to the operator pursuant to Article 4 of the UK-Georgia Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged vehicle;
- (b) goods for—
 - (i) a cinematographic, circus, musical or theatrical performance;
 - (ii) an exhibition, fair or sports event;
 - (iii) a film, radio or television production;
- (c) medical supplies for use in the event of a natural disaster or other emergency;
- (d) an object or artwork for exhibition;
- (e) postal packets;
- (f) samples of objects and materials the carriage of which is—
 - (i) occasional, and
 - (ii) exclusively for information or publicity purposes;
- (g) goods carried on own account, but not if the origin or destination is a country other than the United Kingdom or Georgia.

(3) In this paragraph—

“Georgia operator” means a person who is—

- (a) authorised under the law of Georgia to use a goods vehicle on a road for the international carriage of goods, and

Changes to legislation: There are currently no known outstanding effects for the *The Goods Vehicles (Licensing of Operators) Regulations 1995*. (See end of Document for details)

- (b) not subject to an exclusion notice issued to the person pursuant to Article 10(1)(c) of the UK-Georgia Agreement;

“Georgia vehicle” means—

- (a) a motor vehicle registered in Georgia, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Georgia, and
 - (ii) a trailer;

“the UK-Georgia Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Georgia on International Road Transport done at London on 13th November 1997.

Vehicles used by operators authorised in Jordan

47.—(1) A Jordan vehicle—

- (a) brought temporarily into Great Britain by a Jordan operator, and
- (b) used by the operator, subject to sub-paragraph (2), for the carriage of goods—
 - (i) from the United Kingdom to Jordan, or vice versa,
 - (ii) through Great Britain from Jordan to a country other than the United Kingdom, or vice versa, or
 - (iii) from the United Kingdom to a country other than the United Kingdom or Jordan, or vice versa, only if the carriage of goods passes through Jordan.

(2) A Jordan vehicle which enters the United Kingdom unladen on its return to Jordan from any other country and on which the Jordan operator picks up goods in Great Britain falls within sub-paragraph (1)(b) only if permission is obtained in advance pursuant to Article 3(b) of the UK-Jordan Agreement.

(3) In this paragraph—

“Jordan operator” means a person who is—

- (a) authorised under the law of Jordan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a prohibition issued to the person pursuant to Article 10(2)(b) of the UK-Jordan Agreement;

“Jordan vehicle” means—

- (a) a motor vehicle registered in Jordan, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Jordan, and
 - (ii) a trailer;

“the UK-Jordan Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hashemite Kingdom of Jordan on the International Transport of Goods by Road done at Amman on 2nd February 1981.

Vehicles used by operators authorised in Kazakhstan

48.—(1) A Kazakhstan vehicle—

- (a) brought temporarily into Great Britain by a Kazakhstan operator,

- (b) used by the operator for the international carriage of goods, and
 - (c) which is one of the following—
 - (i) a medium-weight vehicle;
 - (ii) an unladen vehicle on delivery from its place of manufacture in Kazakhstan to a business in Great Britain;
 - (iii) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
 - (iv) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 4 of the UK-Kazakhstan Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
- (a) a broken-down or damaged vehicle;
 - (b) goods dispatched to a country—
 - (i) to be exhausted through use for educational or publicity purposes, a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a fair or a religious or sports event, or
 - (ii) to be used temporarily for educational or publicity purposes, a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a fair or a religious or sports event before being removed from that country to any other country;
 - (c) goods for humanitarian aid;
 - (d) medical supplies for use in the event of a natural disaster or other emergency;
 - (e) postal packets;
 - (f) the remains of a deceased individual.
- (3) In this paragraph—
- “Kazakhstan operator” means a person who is—
- (a) authorised under the law of Kazakhstan to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to an exclusion notice issued to the person pursuant to Article 10(1)(c) of the UK-Kazakhstan Agreement;
- “Kazakhstan vehicle” means—
- (a) a motor vehicle registered in Kazakhstan, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Kazakhstan, and
 - (ii) a trailer;
- “the UK-Kazakhstan Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kazakhstan on International Road Transport done at London on 22nd November 2006.

Vehicles used by operators authorised in Kosovo

- 49.**—(1) A Kosovo vehicle—
- (a) brought temporarily into Great Britain by a Kosovo operator, and
 - (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Kosovo operator” means a person who—

- (a) is authorised under the law of Kosovo to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Kosovo Agreement, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Kosovo that is comparable to a standard licence;

“Kosovo vehicle” means—

- (a) a motor vehicle registered in Kosovo, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Kosovo, and
 - (ii) a trailer;

“the UK-Kosovo Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kosovo on International Road Transport done at Pristina on 11th December 2020.

Vehicles used by operators authorised in Kyrgyzstan

50.—(1) A Kyrgyzstan vehicle—

- (a) brought temporarily into Great Britain by a Kyrgyzstan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Kyrgyzstan, or vice versa, and
- (c) which is—
 - (i) a vehicle used for recovery,
 - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
 - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

(3) A Kyrgyzstan vehicle—

- (a) brought temporarily into Great Britain by a Kyrgyzstan operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Kyrgyzstan, or vice versa,

- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
 - (d) on which the driver of the vehicle is carrying the permit.
- (4) In this paragraph—
- “Kyrgyzstan operator” means a person who is—
- (a) authorised under the law of Kyrgyzstan to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;
- “Kyrgyzstan vehicle” means—
- (a) a motor vehicle registered in Kyrgyzstan, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Kyrgyzstan, and
 - (ii) a trailer.

Vehicles used by operators authorised in Liechtenstein

- 51.**—(1) A Liechtenstein vehicle—
- (a) brought temporarily into Great Britain by a Liechtenstein operator, and
 - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—
- “Liechtenstein operator” means a person who—
- (a) is authorised under the law of Liechtenstein to use a goods vehicle on a road for the international carriage of goods,
 - (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(2)(c) of the UK-Switzerland Agreement, and
 - (c) if carrying goods for hire or reward, holds a licence issued under the law of Liechtenstein that is comparable to a standard licence;
- “Liechtenstein vehicle” means—
- (a) a motor vehicle registered in Liechtenstein, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Liechtenstein, and
 - (ii) a trailer.

Vehicles used by operators authorised in Moldova

- 52.**—(1) A Moldova vehicle—
- (a) brought temporarily into Great Britain by a Moldova operator, and
 - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—
- “Moldova operator” means a person who is—
- (a) authorised under the law of Moldova to use a goods vehicle on a road for the international carriage of goods, and

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

- (b) not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Moldova Agreement;

“Moldova vehicle” means—

- (a) a motor vehicle registered in Moldova, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Moldova, and
 - (ii) a trailer;

“the UK-Moldova Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Moldova on International Road Transport done at London on 15th October 1996.

Vehicles used by operators authorised in Montenegro

53.—(1) A Montenegro vehicle—

- (a) brought temporarily into Great Britain by a Montenegro operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Montenegro operator” means a person who—

- (a) is authorised under the law of Montenegro to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Montenegro Agreement, and
- (c) holds a licence issued under the law of Montenegro that is comparable to a standard licence;

“Montenegro vehicle” means—

- (a) a motor vehicle registered in Montenegro, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Montenegro, and
 - (ii) a trailer;

“the UK-Montenegro Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Montenegro on International Road Transport done at London on 3rd September 2019.

Vehicles used by operators authorised in Morocco

54.—(1) A Morocco vehicle—

- (a) brought temporarily into Great Britain by a Morocco operator,
- (b) which is used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 3 or Article 7 of the UK-Morocco Agreement, and
- (c) on which the driver of the vehicle is carrying the permit.

(2) A Morocco vehicle—

- (a) brought temporarily into Great Britain by a Morocco operator,
- (b) used for the carriage of goods on a journey—
 - (i) from the United Kingdom to Morocco, or vice versa, or

- (ii) through the United Kingdom from, and to, any other country, and
- (c) which is—
 - (i) a livestock vehicle, or
 - (ii) used for the carriage only of one or more of the goods listed in sub-paragraph (3).
- (3) The goods are—
 - (a) medical supplies for use in the event of a natural disaster or other emergency;
 - (b) goods carried from or to an airport in support of an air service that has been diverted;
 - (c) an animal.
- (4) In this paragraph—

“Morocco operator” means a person who is—

 - (a) authorised under the law of Morocco to use a Morocco vehicle on a road for the international carriage of goods, and
 - (b) not subject to a withdrawal issued to the person pursuant to Article 16(1)(b) of the UK-Morocco Agreement;

“Morocco vehicle” means—

 - (a) a motor vehicle registered in Morocco, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Morocco, and
 - (ii) a trailer;

“the UK-Morocco Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Morocco on the International Carriage of Goods by Road with Administrative Memorandum done at Marrakesh on 15th April 1994.

Vehicles used by operators authorised in North Macedonia

- 55.**—(1) A North Macedonia vehicle—
- (a) brought temporarily into Great Britain by a North Macedonia operator, and
 - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—
- “North Macedonia operator” means a person who is—
- (a) authorised under the law of North Macedonia to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-North Macedonia Agreement;
- “North Macedonia vehicle” means—
- (a) a motor vehicle registered in North Macedonia, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in North Macedonia, and
 - (ii) a trailer;
- “the UK-North Macedonia Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Macedonian Government on International Road Transport done at Skopje on 18th June 1996.

Vehicles used by operators authorised in Norway

56.—(1) A Norway vehicle—

- (a) brought temporarily into Great Britain by a Norway operator who holds a Community licence,
- (b) on which the driver of the vehicle is carrying the licence, and
- (c) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Community licence” means a licence issued pursuant to Article 4 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (Community licence) as incorporated into the EEA Agreement;

“Norway operator” means an operator who—

- (a) is authorised under the law of Norway to use a goods vehicle on a road for the international carriage of goods, and
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Norway Agreement;

“Norway vehicle” means—

- (a) a motor vehicle registered in Norway, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Norway, and
 - (ii) a trailer;

“the UK-Norway Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway on International Road Transport, with Protocol, done at Oslo on 18th March 2019.

Vehicles used by operators authorised in Russia

57.—(1) A Russia vehicle—

- (a) brought temporarily into Great Britain by a Russia operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Russia, or vice versa, and
- (c) which is—
 - (i) a vehicle used for recovery,
 - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or

- (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.
- (3) A Russia vehicle—
 - (a) brought temporarily into Great Britain by a Russia operator,
 - (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Russia, or vice versa,
 - (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
 - (d) on which the driver of the vehicle is carrying the permit.
- (4) In this paragraph—
 - “Russia operator” means a person who is—
 - (a) authorised under the law of Russia to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;
 - “Russia vehicle” means—
 - (a) a motor vehicle registered in Russia, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Russia, and
 - (ii) a trailer.

Vehicles used by operators authorised in Serbia

- 58.**—(1) A Serbia vehicle—
- (a) brought temporarily into Great Britain by a Serbia operator, and
 - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—
- “Serbia operator” means a person who—
 - (a) is authorised under the law of Serbia to use a goods vehicle on a road for the international carriage of goods,
 - (b) is not subject to an exclusion undertaken in accordance with Article 9(1)(b) of the UK-Serbia Agreement, and
 - (c) holds a licence issued under the law of Serbia that is comparable to a standard licence;
 - “Serbia vehicle” means—
 - (a) a motor vehicle registered in Serbia, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Serbia, and
 - (ii) a trailer;
- “the UK-Serbia Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Serbia on International Road Transport done at London on 6th February 2019.

Vehicles used by operators authorised in Switzerland

59.—(1) A Switzerland vehicle—

- (a) brought temporarily into Great Britain by a Switzerland operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Switzerland operator” means a person who—

- (a) is authorised under the law of Switzerland to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(2)(c) of the UK-Switzerland Agreement, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Switzerland that is comparable to a standard licence;

“Switzerland vehicle” means—

- (a) a motor vehicle registered in Switzerland, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Switzerland, and
 - (ii) a trailer.

Vehicles used by operators authorised in Tajikistan

60.—(1) A Tajikistan vehicle—

- (a) brought temporarily into Great Britain by a Tajikistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Tajikistan, or vice versa, and
- (c) which is—
 - (i) a vehicle used for recovery,
 - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
 - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

(3) A Tajikistan vehicle—

- (a) brought temporarily into Great Britain by a Tajikistan operator,

- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Tajikistan, or vice versa,
 - (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
 - (d) on which the driver of the vehicle is carrying the permit.
- (4) In this paragraph—
- “Tajikistan operator” means a person who is—
- (a) authorised under the law of Tajikistan to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;
- “Tajikistan vehicle” means—
- (a) a motor vehicle registered in Tajikistan, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Tajikistan, and
 - (ii) a trailer.

Vehicles used by operators authorised in Tunisia

- 61.**—(1) A Tunisia vehicle—
- (a) brought temporarily into Great Britain by a Tunisia operator,
 - (b) which is any of the following—
 - (i) a medium-weight vehicle;
 - (ii) a moving vehicle;
 - (iii) a vehicle used for recovery;
 - (iv) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
 - (v) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 3 of the UK-Tunisia Agreement, if the driver of the vehicle is carrying the permit, and
 - (c) used by the operator for the carriage of goods—
 - (i) from the United Kingdom to Tunisia, or vice versa,
 - (ii) through the United Kingdom from, and to, any other country, or
 - (iii) from the United Kingdom to a country other than Tunisia, or vice versa, under a permit issued to the operator pursuant to Article 1(2) of the UK-Tunisia Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
- (a) an antique or artwork;
 - (b) bees for release into a hive or other environment;
 - (c) a broken-down or damaged vehicle;
 - (d) fish for release into a lake, ocean, river or other body of water;
 - (e) goods for—
 - (i) a cinematographic, circus, musical or theatrical performance;

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

- (ii) an exhibition, fair or sports event;
 - (iii) a film, radio or television production;
 - (f) goods carried from or to an airport in support of an air service that has been diverted;
 - (g) luggage carried from or to an airport;
 - (h) medical supplies for use in the event of a natural disaster or other emergency;
 - (i) postal packets;
 - (j) the remains of—
 - (i) an animal for disposal other than by human consumption;
 - (ii) a deceased individual;
 - (k) spare parts for an ocean-going ship.
- (3) In this paragraph—
- “Tunisia operator” means a person who is—
- (a) authorised under the law of Tunisia to use a goods vehicle on a road for the international carriage of goods, and
 - (b) not subject to an exclusion notice issued to the person pursuant to Article 7(1)(c) of the UK-Tunisia Agreement;
- “Tunisia vehicle” means—
- (a) a motor vehicle registered in Tunisia, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Tunisia, and
 - (ii) a trailer;
- “the UK-Tunisia agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Tunisian Republic on the International Carriage of Goods by Road done at London on 10th March 1982.

Vehicles used by operators authorised in Turkey

- 62.—**(1) A Turkey vehicle—
- (a) brought temporarily into Great Britain by a Turkey operator, and
 - (b) used by the operator for the carriage of goods—
 - (i) from the United Kingdom to Turkey, or vice versa,
 - (ii) through the United Kingdom from Turkey to a country other than the United Kingdom, or vice versa, or
 - (iii) from the United Kingdom to a country other than the United Kingdom or Turkey, or vice versa, under a permit issued to the operator pursuant to Article 9 of the UK-Turkey Agreement, if the driver of the vehicle is carrying the permit.
- (2) In this paragraph—
- “Turkey operator” means a person who is authorised under the law of Turkey to use a goods vehicle on a road for the international carriage of goods;
- “Turkey vehicle” means—
- (a) a motor vehicle registered in Turkey, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Turkey, and

- (ii) a trailer;

“the UK-Turkey Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Turkey concerning International Road Transport done at Ankara on 9th September 1977.

Vehicles used by operators authorised in Turkmenistan

63.—(1) A Turkmenistan vehicle—

- (a) brought temporarily into Great Britain by a Turkmenistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Turkmenistan, or vice versa, and
- (c) which is—
 - (i) a vehicle used for recovery,
 - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
 - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

(3) A Turkmenistan vehicle—

- (a) brought temporarily into Great Britain by a Turkmenistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Turkmenistan, or vice versa,
- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
- (d) on which the driver of the vehicle is carrying the permit.

(4) In this paragraph—

“Turkmenistan operator” means a person who is—

- (a) authorised under the law of Turkmenistan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;

“Turkmenistan vehicle” means—

- (a) a motor vehicle registered in Turkmenistan, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Turkmenistan, and

- (ii) a trailer.

Vehicles used by operators authorised in Ukraine

64.—(1) A Ukraine vehicle—

- (a) brought temporarily into Great Britain by a Ukraine operator,
- (b) used by a Ukraine operator for the international carriage of goods, and
- (c) which is any of the following—
 - (i) a medium-weight vehicle;
 - (ii) a Euro V standards-compliant vehicle;
 - (iii) a Euro VI standards-compliant vehicle;
 - (iv) a zero-emission vehicle;
 - (v) a vehicle used by a Ukraine operator for the carriage of goods on own account on a journey from the United Kingdom to Ukraine, or vice versa;
 - (vi) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
 - (vii) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 of the UK-Ukraine Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) an artwork or art object for use in an exhibition or for a commercial purpose;
- (b) a broken-down or damaged vehicle;
- (c) goods for—
 - (i) a cinematographic, circus, musical or theatrical performance;
 - (ii) an exhibition, fair or sports event;
 - (iii) a film, radio or television production;
- (d) medical supplies for use in the event of a natural disaster or other emergency;
- (e) postal packets;
- (f) samples of objects and materials the carriage of which is—
 - (i) occasional, and
 - (ii) exclusively for information or publicity purposes.

(3) In this paragraph—

“Euro V standards compliant vehicle” means a vehicle where the engine satisfies the emissions limit values set out in row B2 and row C of each of the tables in Section 6.2.1 of Annex 1 to [Directive 2005/55/EC](#) of the European Parliament and Council of 28 September 2005, as that law had effect on 30 December 2013;

“Euro VI standards compliant vehicle” means a vehicle where the engine satisfies the emissions limit values set out in Annex 1 to Regulation 595/2009 of the European Parliament and Council of 18 June 2009, as that law had effect immediately before IP completion day;

“Ukraine operator” means an operator who is—

- (a) authorised under the law of Ukraine to engage in the international carriage of goods, and
- (b) not subject to an exclusion notice issued by the Government of Ukraine pursuant to Article 11(1)(c) of the UK-Ukraine Agreement;

“Ukraine vehicle” means—

- (a) a motor vehicle registered in Ukraine, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Ukraine, and
 - (ii) a trailer;

“the UK-Ukraine Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ukraine on International Road Transport done at London on 13th December 1995;

“zero-emission vehicle” means a vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1g CO₂/kWh as determined in accordance with Regulation (EC) No 595/2009 of the European Parliament and of the Council and its implementing measures, as that law had effect immediately before IP completion day, or that emits less than 1g CO₂/km as determined in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council and its implementing measures, as that law had effect immediately before IP completion day.

Vehicles used by operators authorised in Uzbekistan

65.—(1) An Uzbekistan vehicle—

- (a) brought temporarily into Great Britain by an Uzbekistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Uzbekistan, or vice versa, and
- (c) which is—
 - (i) a vehicle used for recovery,
 - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
 - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
 - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
 - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

(3) An Uzbekistan vehicle—

- (a) brought temporarily into Great Britain by an Uzbekistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Uzbekistan, or vice versa,
- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
- (d) on which the driver of the vehicle is carrying the permit.

(4) In this paragraph—

“Uzbekistan operator” means a person who is—

- (a) authorised under the law of Uzbekistan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;

“Uzbekistan vehicle” means—

- (a) a motor vehicle registered in Uzbekistan, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in Uzbekistan, and
 - (ii) a trailer.

Vehicles used by operators established in the Channel Islands, the Faroe Islands, the Isle of Man or Gibraltar

66.—(1) A qualifying vehicle—

- (a) brought temporarily into Great Britain by a qualifying operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“operator” means, in relation to a qualifying vehicle—

- (a) the driver of the vehicle, if the vehicle belongs to the driver or is in the driver’s possession under an agreement for hire or hire-purchase, or a loan;
- (b) in any other case, the person whose employee or agent the driver is;

“qualifying operator” means, in relation to a qualifying vehicle, an operator who has an effective and stable establishment in the country in which the qualifying vehicle is registered;

“qualifying vehicle” means—

- (a) a motor vehicle registered in—
 - (i) the Faroe Islands,
 - (ii) Gibraltar,
 - (iii) the Bailiwick of Guernsey,
 - (iv) the Bailiwick of Jersey, or
 - (v) the Isle of Man, or
- (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in a country mentioned in paragraph (a), and
 - (ii) a trailer.

Vehicles used by operators authorised in the European Union

67.—(1) An EU vehicle—

- (a) brought temporarily into Great Britain by a person who holds a Community licence,
- (b) on which the driver of the vehicle is carrying a certified true copy of the licence, and
- (c) used by the person for either or both—
 - (i) the international carriage of goods;

- (ii) national transport operations pursuant to Chapter 3 of EUR 2009/1072 (cabotage) and in accordance with sub-paragraph (4).
- (2) An EU vehicle—
 - (a) brought temporarily into Great Britain by a person who carries on a trade or business in a member State, and
 - (b) used by the person for either or both—
 - (i) the international carriage of goods as set out in Article 1(5) of EUR 2009/1072;
 - (ii) national transport operations, pursuant to Chapter 3 of EUR 2009/1072, for the carriage of goods as set out in Article 1(5) of EUR 2009/1072, in accordance with sub-paragraph (4).
- (3) An EU vehicle—
 - (a) brought temporarily into Great Britain by a person who carries on a trade or business in a member State,
 - (b) which has a maximum authorised speed not exceeding 40 kilometres per hour, and
 - (c) used by the person for either or both—
 - (i) the international carriage of goods;
 - (ii) cabotage, in accordance with sub-paragraph (4).
- (4) The EU vehicle is within the class of vehicle set out in sub-paragraph (1) or (2), in the case of the vehicle being used for national transport operations under sub-paragraph (1)(c)(ii) or (2)(b)(ii) or the class of vehicle set out in sub-paragraph (3), in the case of the vehicle being used for cabotage under sub-paragraph (3)(c)(ii), only if—
 - (a) the person using the vehicle submits a posting declaration at or before the time the journey to which the use referred to in sub-paragraph (1)(c)(ii), (2)(b)(ii) or (3)(c)(ii) (as the case may be) relates commences, and
 - (b) the driver of the vehicle is carrying a copy of the posting declaration in electronic or paper form.
- (5) In this paragraph—
 - “cabotage” means no more than two laden journeys between points in the United Kingdom, performed within seven days of the unloading of the goods carried on a journey from the European Union to the United Kingdom;
 - “Community licence” has the meaning given in Article 2(8) of EUR 2009/1072;
 - “EU Market Information System” means the Internal Market Information System mentioned in Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission [Decision 2008/49/EC](#) as it has effect in EU law;
 - “EU vehicle” means—
 - (a) a motor vehicle registered in a member State, or
 - (b) a vehicle combination consisting of—
 - (i) a motor vehicle registered in a member State, and
 - (ii) a trailer;
 - “EUR 2009/1072” means Regulation [\(EC\) No 1072/2009](#) of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market;
 - “international carriage” has the meaning given by Article 2 of EUR 2009/1072;

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

“posting declaration” means a declaration—

- (a) made using the EU Market Information System, and
- (b) declaring—
 - (i) the identity of the person using the vehicle;
 - (ii) the contact details of an individual located in the member State in which the motor vehicle is registered who is able to correspond with the Secretary of State on behalf of the person using the vehicle;
 - (iii) the name, residential address and driving licence number of the driver of the vehicle on the journey for which the declaration is required;
 - (iv) the expected period during which the vehicle will be used for national transport operations;
 - (v) the registration plate of the motor vehicle;
 - (vi) if the person using the vehicle is not also the driver, the start date of, and the law applicable to, the driver’s contract of service with that person;

“the person using the vehicle” is to be construed in accordance with section 58(2) of the 1995 Act.

Vehicles used by ECMT operators not established in the United Kingdom or the European Union

68.—(1) A non-UK/EU ECMT vehicle—

- (a) brought temporarily into Great Britain by a non-UK/EU ECMT operator,
- (b) used for the international carriage of goods,
- (c) which is any of the following—
 - (i) a livestock vehicle;
 - (ii) a vehicle used for recovery;
 - (iii) a newly-acquired unladen vehicle being delivered to its final destination;
 - (iv) a vehicle with a maximum laden weight not exceeding 3.5 tonnes;
 - (v) a vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2), and
- (d) in the case of a journey in Great Britain, used by the operator on a journey the origin and destination of which are ECMT countries.

(2) The goods are—

- (a) a broken-down or damaged vehicle;
- (b) goods carried on a non-commercial basis for—
 - (i) a cinematographic, circus, musical or theatrical performance;
 - (ii) an exhibition, but only if an artwork or art object for the exhibition;
 - (iii) a fair, fête or sports event;
 - (iv) a film, radio or television production;
- (c) goods carried from or to an airport in support of an air service that has been diverted;
- (d) goods carried on own account;
- (e) medical supplies for use in the event of a natural disaster, emergency or other humanitarian need;

- (f) postal packets;
 - (g) provisions, and spare parts, for an aircraft or ocean-going ship;
 - (h) the remains of a deceased individual.
- (3) This paragraph does not exempt the use of a non-UK/EU ECMT vehicle which is—
- (a) a Switzerland vehicle, within the meaning given by paragraph 59(2) which is a livestock vehicle;
 - (b) a Russia vehicle, within the meaning given by paragraph 57(4), which is—
 - (i) a livestock vehicle, or
 - (ii) a vehicle on a journey for the carriage only of one or more of the goods listed in subparagraph (2)(c), (d) and (h);
 - (c) a Belarus vehicle, within the meaning given by paragraph 44(5), or a Turkey vehicle, within the meaning given by paragraph 62(2), on a journey for the carriage only of goods carried on own account.
- (4) A non-UK/EU ECMT vehicle—
- (a) brought temporarily into Great Britain by a non-UK/EU ECMT operator,
 - (b) used by the operator for the international carriage of goods under a permit granting permission to carry out international removals in the form set out in Annex 2 of the ECMT Multilateral Quota User Guide published in January 2022, for use on journeys to, in or through ECMT countries, and
 - (c) on which the driver of the vehicle is carrying the permit.
- (5) In this paragraph—
- “ECMT country” means a country which is a party to the Protocol concerning the European Conference of Ministers of Transport done at Brussels on 17th October 1953;
- “non-UK/EU ECMT operator” means, in relation to a non-UK/EU ECMT vehicle, an operator who—
- (a) has an effective and stable establishment in the country in which the non-UK/EU ECMT vehicle is registered, and
 - (b) is authorised under the law of the country in which the operator is established to use a goods vehicle on a road for the international carriage of goods;
- “non-UK/EU ECMT vehicle” means a goods vehicle registered in an ECMT country other than the United Kingdom or a member State;
- “operator”, in relation to a non-UK/EU ECMT vehicle, means—
- (a) the driver of the vehicle, if the vehicle belongs to the driver or is in the driver’s possession under an agreement for hire or hire-purchase, or a loan;
 - (b) in any other case, the person whose employee or agent the driver is.

Vehicles used for the carriage of goods under an ECMT licence

- 69.**—(1) A motor vehicle or a vehicle combination—
- (a) used in Great Britain by an international operator for the international carriage of goods authorised under an ECMT licence, and
 - (b) the driver of which carries a copy of the ECMT licence.
- (2) In this paragraph—
- “ECMT licence” means a licence for the carriage of goods in the United Kingdom allocated to an operator pursuant to the scheme for a multilateral quota established by Resolution No. 26

of the Council of Ministers of the European Conference of Ministers of Transport done at The Hague on 14th June 1973.]

[^{F128}SCHEDULE 3A

Regulation 33A

Modification of the 1995 Act and these Regulations for certain international operators

Textual Amendments

F128 Sch. 3A inserted (1.10.2023) by [The Goods Vehicles \(Licensing of Operators\) \(Exemptions and Modifications\) \(Amendment\) Regulations 2023 \(S.I. 2023/805\)](#), regs. 1, 8

PART 1

Modification of the 1995 Act

Modifications to section 3 (“standard” and “restricted” licences)

1. Section 3 of the 1995 Act has effect as if—
 - (a) for subsection (5) there were substituted—

“(5) An operator’s licence, whether a standard licence or a restricted licence, may not authorise a goods vehicle to be used on national transport operations.”;
 - (b) in subsection (7)—
 - (i) for “international” there were substituted “national”;
 - (ii) for “goods on national transport operations” there were substituted “goods on international transport operations”.

Modifications to section 5 (vehicles authorised to be used under operator’s licence)

2. Section 5 of the 1995 Act has effect as if—
 - (a) for subsection (1) there were substituted—

“(1) Subject to the following provisions of this section, the vehicles authorised to be used under an operator’s licence are—

 - (a) any motor vehicle—
 - (i) in the lawful possession of the licence-holder, and
 - (ii) specified in the licence;
 - (b) any trailer in the lawful possession of the licence-holder.”;
 - (b) in subsection (2)—
 - (i) in paragraph (a) for “no motor vehicle, or no trailer,” there were substituted “no trailer”;
 - (ii) after paragraph (a) there were inserted—

“(aa) that no trailer of a type specified in the licence is authorised to be used under it; or”;
 - (iii) at the end of paragraph (b) “; or” were omitted;

- (iv) paragraph (c) were omitted;
- (c) paragraphs (4) to (7) were omitted.

Modifications to section 6 (maximum numbers of vehicles)

3. Section 6 of the 1995 Act has effect as if—
 - (a) for subsections (1) to (4) there were substituted—
 - “(1) An operator’s licence that does not contain a provision referred to in section 5(2)
 - (b)—
 - (a) must specify a maximum number for trailers, and
 - (b) may specify a maximum number for trailers—
 - (i) whose relevant weight exceeds a weight specified in the licence;
 - (ii) of a type specified in the licence.”;
 - (b) in subsection (5), for “(2)(a)” there were substituted “(1)(a)”;
 - (c) in subsection (6)—
 - (i) for “(2)(b)” there were substituted “(1)(b)”;
 - (ii) after “specified weight” there were inserted “or for trailers of a specified type”;
 - (d) in subsection (8), “(3), (4)(a) or (b),” were omitted.

Cessation of section 7 (operating centres to be specified in heavy goods vehicle licences)

4. Section 7 of the 1995 Act has no effect.

Modifications to section 8 (applications for operators’ licences)

5. Section 8 of the 1995 Act has effect as if—
 - (a) for subsections (1A) to (3) there were substituted—
 - “(2) A person may not at any time hold more than one operator’s licence.
 - (3) A person applying for an operator’s licence must give to the traffic commissioner—
 - (a) a statement—
 - (i) containing such particulars as the commissioner may require of the motor vehicles proposed to be used under the licence, and
 - (ii) stating the number and type of any trailers proposed to be used under the licence; and
 - (b) details of any—
 - (i) notifiable conviction (within the meaning given in paragraph 4 of Schedule 2);
 - (ii) notifiable fixed penalty notice (within the meaning given in paragraph 7 of Schedule 2);
 - (iii) prohibition under section 69 or 70 of the Road Traffic Act 1988 in relation to a vehicle the person owned at the time the prohibition was imposed.”;
 - (b) in paragraph (4) the words from “and in particular” to the end, and the comma before those words, were omitted;
 - (c) paragraph (5) were omitted.

Modifications to section 9 (convictions etc. subsequent to the making of an application)

6. Section 9 of the 1995 Act has effect as if for subsections (1) to (3) there were substituted—
- “(1) A person who makes an application for an operator’s licence must immediately notify the traffic commissioner if, in the interval between the making of the application and the date on which it is disposed of, there occurs—
- (a) a notifiable conviction (within the meaning given in paragraph 4 of Schedule 2);
 - (b) a notifiable fixed penalty notice (within the meaning given in paragraph 7 of Schedule 2);
 - (c) a prohibition under section 69 or 70 of the Road Traffic Act 1988 in relation to a vehicle the person owned at the time the prohibition was imposed;
 - (d) a change affecting any information given to the commissioner under section 8(4).
- (2) A person who knowingly fails to comply with subsection (1) is—
- (a) guilty of an offence, and
 - (b) liable on summary conviction to a fine not exceeding level 4 on the standard scale.”.

Cessation of sections 10 and 11 (publication of notice of application for licence)

7. Sections 10 and 11 of the 1995 Act have no effect.

Cessation of sections 12 and 14 (objections to operators’ licences)

8. Sections 12 and 14 of the 1995 Act have no effect.

Substitution of section 13 (determination of applications for operators’ licences)

9. The 1995 Act has effect as if for section 13 there were substituted—

“Determination of applications for operators’ licences

13. On an application for an operator’s licence a traffic commissioner must consider whether the applicant is a fit and proper person to hold an operator’s licence having had regard to any—

- (a) previous known conduct of the applicant in respect of the use and operation of motor vehicles, whether in the United Kingdom or elsewhere;
- (b) notifiable conviction, notifiable fixed penalty notice or prohibition required to be disclosed under section 8(3);
- (c) notifiable conviction, notifiable fixed penalty notice or prohibition required to be notified under section 9(1);
- (d) information given to the commissioner under section 8(4) and any change to that information notified under section 9(1).”.

Cessation of sections 13A to 13D (requirements for operators’ licences)

10. Sections 13A to 13D of the 1995 Act have no effect.

Substitution of section 15 (issue of operators’ licences)

11. The 1995 Act has effect as if for section 15 there were substituted—

“Issue of operators’ licences

15.—(1) A traffic commissioner may issue an operator’s licence in terms that differ from the terms applied for in any of the following respects—

- (a) more or fewer motor vehicles are specified in the licence;
- (b) different motor vehicles are specified in it;
- (c) it includes a provision such as is mentioned in section 5(2);
- (d) it includes a provision such as is mentioned in section 6(1)(b);
- (e) a higher or lower maximum number for trailers is specified in it under section 6(1).

(2) A statement must appear on the face of every operator’s licence indicating—

- (a) whether it is a standard licence or a restricted licence, and
- (b) that it covers international transport operations only.”.

Modifications to section 16 (duration of operators’ licences)

12. Section 16 of the 1995 Act has effect as if—

- (a) for subsection (2) there were substituted—

“(2) The holder of an operator’s licence may at any time terminate the licence by notifying a traffic commissioner of its termination.”;

- (b) subsections (3) and (4) were omitted.

Substitution of section 17 (variation of operators’ licences)

13. The 1995 Act has effect as if for section 17 there were substituted—

“Variation of operators’ licences

17.—(1) The holder of an operator’s licence may apply to a traffic commissioner for a licence to cease to specify a vehicle (“the replaced vehicle”) and to specify another similar vehicle (“the replacement vehicle”).

(2) A person applying for a variation under subsection (1) must give to the traffic commissioner such information, in such form, as the commissioner may reasonably require for disposing of the application.

(3) If the traffic commissioner grants the application, the commissioner must direct that the licence—

- (a) specify the replacement vehicle, and
- (b) cease specifying the replaced vehicle.”.

Cessation of sections 18 to 20 (further provisions relating to variation of heavy goods vehicles licences)

14. Sections 18, 19 and 20 of the 1995 Act have no effect.

Cessation of sections 21 and 23 (conditions attached to heavy goods vehicle licences)

15. Sections 21 and 23 of the 1995 Act have no effect.

Substitution of section 22 (conditions attached to operators' licences as to matters required to be notified to traffic commissioner)

16. The 1995 Act has effect as if for section 22 there were substituted—

“Conditions as to matters required to be notified to traffic commissioner

22.—(1) On issuing an operator's licence, a traffic commissioner may attach to the licence such conditions as the commissioner thinks fit for requiring the holder to inform a traffic commissioner of any event of a kind referred to in subsection (2), and to do so within 28 days of the event.

(2) The kind of event is one which is—

- (a) specified in the conditions which affect the licence-holder, and
- (b) relevant to the exercise of any powers of a traffic commissioner in relation to the licence.”.

Cessation of sections 24 and 25 (interim operators' licences and interim variations)

17. Sections 24 and 25 of the 1995 Act have no effect.

Substitution of section 26 (revocation, suspension and curtailment of operators' licences)

18. The 1995 Act has effect as if for section 26 there were substituted—

“Revocation, suspension and curtailment of operators' licences

26.—(1) A traffic commissioner may, subject to section 29, direct that an operator's licence be revoked, suspended or curtailed on the grounds that—

- (a) the licence-holder has contravened any condition attached to the licence;
- (b) during the five years ending with the date on which the direction is given there has been—
 - (i) a conviction of the licence-holder of one or more notifiable convictions (within the meaning of paragraph 4 of Schedule 2),
 - (ii) a notifiable fixed penalty notice (within the meaning given in paragraph 7 of Schedule 2), or
 - (iii) a prohibition under section 69 or 70 of the Road Traffic Act 1988 in relation to a vehicle which the licence-holder owned at the time the prohibition was imposed;
- (c) since the licence was issued or varied the commissioner has learned that—
 - (i) a statement of fact of the licence-holder made for the purposes of an application for the licence or an application for the variation of the licence was false, or
 - (ii) a statement of expectation of the licence-holder made for those purposes has not been fulfilled.

(2) In this Act references to directing that an operator's licence be curtailed are references to directing, with effect for the remainder of the duration of the licence or for any shorter period—

- (a) that one or more of the vehicles specified in the licence be removed from it;

- (b) that a provision such as is mentioned in section 5(2) or 6(1) or (2)(b) be included in the licence.
- (3) Where a direction suspending or curtailing a licence has been given under subsection (1), a traffic commissioner may at any time—
 - (a) cancel the direction, or
 - (b) with the consent of the licence-holder, vary the direction.
- (4) Where an operator's licence is suspended under this section, the licence remains in force during the time of its suspension subject to the limitation that no vehicles are authorised to be used under it.”.

Cessation of section 27 (revocation of standard licences)

19. Section 27 of the 1995 Act has no effect.

Modifications to section 28 (disqualification)

- 20.—(1) Section 28 of the 1995 Act has effect as if—
- (a) for subsection (1) there were substituted—
 - “(1) If under section 26(1) a traffic commissioner directs that an operator's licence be revoked, the commissioner may order the person who was the holder of the licence to be disqualified from holding or obtaining an operator's licence—
 - (a) indefinitely, or
 - (b) for such period as the commissioner thinks fit.”;
 - (b) subsection (3) were omitted.

Modifications to section 29 (revocation and disqualification etc: supplementary provisions)

21. Section 29 of the 1995 Act has effect as if—
- (a) in subsection (1)—
 - (i) for paragraph (a) there were substituted—
 - “(a) give a direction under section 26(1) in respect of any licence, or”;
 - (ii) paragraph (b) were omitted;
 - (b) in subsection (2)—
 - (i) for paragraph (a) there were substituted—
 - “(a) section 26(1), or”;
 - (ii) paragraph (b) were omitted.

Cessation of sections 30 to 34 (provisions relating to operating centres)

22. Sections 30 to 34 of the 1995 Act have no effect.

Modification to section 37 (rights of appeal in connection with operator's licences)

23. Section 37 of the 1995 Act has effect as if—
- (a) in subsection (2) for “section 5(9), 26(1) or (2), 27(1), 31 or 32” there were substituted “section 5(9) or 26(1)”;
 - (b) subsection (3) were omitted.

Cessation of section 40 (inspection of maintenance facilities)

24. Section 40 of the 1995 Act has no effect.

Cessation of sections 44 and 49 (miscellaneous provisions)

25. Sections 44 and 49 of the 1995 Act have no effect.

Modification to section 51 (time for bringing proceedings)

26. Section 51 of the 1995 Act has effect as if for “9(3)(a) or (b)” there were substituted “9(2)”.

PART 2

Modification of these Regulations

Modifications to Part 2 (applications)

27.—(1) Regulation 4 (manner of making applications) has effect as if for paragraph (c) there were substituted—

“(c) if made for the issue of a licence, state whether it relates to a standard licence or a restricted licence.”.

(2) Regulation 7 (notice of applications) has no effect.

(3) Regulation 9 (inspection of applications) has effect as if paragraphs (1) and (3) were omitted and the heading is to be read as “Inspection of licences”.

Cessation of Part 3 (objections and representations)

28. Part 3 has no effect.

Cessation of Part 4 (operating centres)

29. Part 4 has no effect.

Modifications to Part 6 (applications and decisions)

30.—(1) Regulation 21 (statement to be issued by the traffic commissioner) has effect as if for paragraph (1) there were substituted—

“(1) A traffic commissioner must publish as occasion may require a statement known as “Applications and Decisions”.

(1A) The statement must contain, unless previously notified—

(a) any direction given under section 26 to revoke, suspend or curtail a licence;

(b) in relation to inquiries—

(i) the dates on which, and the places at which, the inquiries are proposed to be held, and

(ii) decisions on applications.”.

(2) Regulation 22 has effect as if—

(a) in paragraph (1)—

- (i) in the words before sub-paragraph (a) for “Articles 6.2(a) and” there were substituted “Article”;
- (ii) sub-paragraphs (b) and (c) were omitted;
- (b) paragraph (2)(b) were omitted;
- (c) paragraph (3) were omitted.

Modifications to Part 7 (other matters)

31.—(1) Regulation 23 (identification of motor vehicles) has effect as if—

(a) for paragraph (2) there were substituted—

“(2) The disc shall clearly indicate, by colour or other means—

- (a) whether a vehicle is being used under a standard licence or under a restricted licence,
- (b) that the vehicle may not be used for national transport operations, and
- (c) the date on which the disc expires.”;

(b) paragraphs (5) and (6) were omitted.

(2) Regulation 26 (production of licence for examination) has effect as if for paragraph (1) there were substituted—

“(1) If requested by an officer or a police constable, the holder of an operator’s licence must produce the licence for inspection at a place specified by the officer or police constable.”.

(3) Regulation 28 (return of licences and discs) has effect as if—

(a) paragraphs (2) and (5) were omitted;

(b) in paragraph (3) “, or if a traffic commissioner has given a direction in respect of a licence under section 26(2),” were omitted.

(4) Regulation 29 (partnerships) has effect as if paragraphs (1), (3), (4), (5), (7) and (12) were omitted.

(5) Regulation 30 (holding companies and subsidiaries) has effect as if—

(a) in sub-paragraph (1)(b) for “section 17(1)(a)” there were substituted “section 17(3)(a)”;

(b) in sub-paragraph (2) for “section 17(1)(b)” there were substituted “section 17(3)(b)”;

(c) sub-paragraph (5) were omitted.

(6) Regulation 31 (continuance of licence on death, bankruptcy etc) has no effect.

(7) Regulation 32 (offences) has effect as if “, 28(2)” were omitted.

(8) Regulation 33 (classes of vehicle for which a licence is not required) has effect as if, in paragraph (2), for the words “on a plate affixed to the vehicle by virtue of regulation 66 of those Regulations” there were substituted “in accordance with the law of the country in which the international operator has an effective and stable establishment”.

Modification to Schedule 2

32. Paragraph 2 of Schedule 2 has effect as if—

(a) sub-paragraphs (h), (i), (j) and (l) were omitted;

(b) in sub-paragraph (k) for “(a), (b), (d), (e), (g) and (h)” there were substituted “(a) and (c)”;

(c) for sub-paragraph (m) there were substituted—

- “(m) in section 26(1)(b) the references to the licence-holder included references to the subsidiary, and as if the reference in sub-paragraph (iii) to a vehicle which the licence holder owned included a reference to a vehicle which the subsidiary owned.”.]

SCHEDULE 4

Regulation 20

INQUIRIES

Modifications etc. (not altering text)

- C2** Sch. 4 excluded by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\), s. 16E\(4\)](#) (as inserted (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), ss. 9(4), 10(1))

Notification of an inquiry

1.—(1) [^{F129}A traffic commissioner] shall send to every person entitled to appear in accordance with paragraph 3 of this Schedule at an inquiry written notice of the date, time and place fixed for the holding of the inquiry.

Such notice shall be sent at least 21 days before the date so fixed.

(2) [^{F129}A traffic commissioner] may vary the date, time or place for the holding of the inquiry; and when he varies the date he shall send to every person so entitled to appear at the inquiry, written notice of the date, time and place of the holding of the inquiry as varied.

Such notice shall be sent at least 21 days before the date as varied.

(3) The periods referred to in sub-paragraph (1) and (2) may be abridged with the consent of every person so entitled to appear at the inquiry.

(4) Where [^{F130}a traffic commissioner] varies the time or place for the holding of an inquiry without varying the date, he shall give such notice of the variation as appears to him to be reasonable.

(5) Nothing in this paragraph shall authorise [^{F130}a traffic commissioner] to hold an inquiry before the date published in Applications and Decisions pursuant to regulation 21.

- (6) The foregoing provisions of this paragraph shall apply to an adjourned inquiry save that—
- (a) if the date, time and place of the adjourned inquiry are announced at the inquiry before the adjournment, no further notice of that date, time and place shall be required; and
 - (b) sub-paragraphs (1) and (2) shall have effect in relation to an adjourned inquiry as if for “21 days” there were substituted “7 days”.

Textual Amendments

F129 Words in Sch. 4 para. 1(1)(2) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

F130 Words in Sch. 4 para. 1(4)(5) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Commencement Information

I70 Sch. 4 para. 1 in force at 1.1.1996, see [reg. 1](#)

Admission to an inquiry

2.—(1) Subject to the provisions of this paragraph, an inquiry shall be held in public.

(2) The traffic commissioner may direct that the whole or any part of an inquiry be held in private if he is satisfied that by reason of—

- (a) the likelihood of disclosure of intimate personal or financial circumstances;
- (b) the likelihood of disclosure of commercially sensitive information or information obtained in confidence; or
- (c) exceptional circumstances not falling within sub-paragraphs (a) or (b),

it is just and reasonable for him so to do.

(3) Where the hearing is in private the traffic commissioner may admit such persons as he considers appropriate.

(4) Without prejudice to sub-paragraph (2), where any question relating to the appropriate financial resources of any persons is to be or is being considered during an inquiry, the traffic commissioner may exclude such persons as he thinks fit from the part of the inquiry during which that question is considered.

^{F131}(5)

Textual Amendments

F131 Sch. 4 para. 2(5) omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, [Sch. 2 para. 54](#) (with Sch. 5)

Commencement Information

I71 Sch. 4 para. 2 in force at 1.1.1996, see [reg. 1](#)

Appearances at an inquiry

3.—(1) The following persons shall be entitled to appear at an inquiry relating to an application namely—

- (a) the applicant;
- (b) a person who has duly made an objection to the application; and
- (c) a person who has duly made representations in respect of the application.

(2) Where a traffic commissioner holds an inquiry with a view to exercising his powers under section 26 or 30, in respect of a licence, the licence-holder shall be entitled to appear at the inquiry.

(3) Without prejudice to sub-paragraph (2), where a person has requested an inquiry under section 29(1), that person shall be entitled to appear at any inquiry held at his request.

(4) If, in relation to any proceedings,

- (a) a transport manager has been given notice under paragraph 15 of Schedule 3 to the 1995 Act that an issue in the proceedings is whether he is of good repute or professionally competent;
- (b) the transport manager has duly made a representation under that paragraph; and

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

(c) the issue is to be considered at an inquiry,
the transport manager shall be entitled to appear at the inquiry.

(5) Any other person may appear at an inquiry at the discretion of the traffic commissioner.

(6) Any person entitled or permitted to appear at an inquiry may do so on his own behalf or be represented by counsel, solicitor or, at the discretion of the traffic commissioner, by any other person.

Commencement Information

I72 Sch. 4 para. 3 in force at 1.1.1996, see [reg. 1](#)

Inquiries relating to more than one application

4. Without prejudice to section 35(2), where a traffic commissioner decides that two or more applications should be the subject of an inquiry, he may hold a single inquiry in relation to those applications if it appears to him that it would be just and convenient so to do.

Commencement Information

I73 Sch. 4 para. 4 in force at 1.1.1996, see [reg. 1](#)

Procedure at inquiry

5.—(1) Except as otherwise provided in this Schedule, the traffic commissioner shall determine the procedure at an inquiry.

(2) Subject to sub-paragraph (5), a person entitled to appear at an inquiry in accordance with paragraph 3 of this Schedule shall be entitled to give evidence, call witnesses, to cross examine witnesses and to address the traffic commissioner both on the evidence and generally on the subject matter of the proceedings.

(3) The giving of evidence, the calling of witnesses, the cross examination of witnesses and the making of such addresses by other persons appearing at an inquiry shall be at the traffic commissioner's discretion.

(4) Subject to sub-paragraph (5), any person present at an inquiry may submit any written evidence or other matter in writing before the close of the inquiry.

(5) Without prejudice to sub-paragraph (3), the traffic commissioner may refuse to permit—

- (a) the giving or calling of evidence;
- (b) cross examination of persons giving evidence; or
- (c) the presentation of any other matter,

which he considers to be irrelevant, repetitious, frivolous or vexatious.

(6) The traffic commissioner may require any person appearing or present at an inquiry who, in his opinion, is behaving in a disruptive manner to leave and may refuse to permit that person to return.

(7) The traffic commissioner may proceed with an inquiry in the absence of any person entitled to appear, but if [^{F132}notice of the inquiry was required to be given to such a person under paragraph 1 of this Schedule] he shall not so proceed in the person's absence unless—

- (a) he is satisfied that such notice had been duly given; or

(b) he decides to proceed with the inquiry under paragraph 7 of this Schedule on the basis that no injustice would be caused to the person as a result of such notice not having been duly given to him.

(8) The traffic commissioner shall not take into account any written evidence or other matter in writing received by him from any person before an inquiry opens or during any inquiry unless he discloses it at the inquiry.

(9) The traffic commissioner may from time to time adjourn an inquiry.

Textual Amendments

F132 Words in Sch. 4 para. 5(7) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), Sch. 2 (with arts. 1(3), 2, 7)

Commencement Information

I74 Sch. 4 para. 5 in force at 1.1.1996, see reg. 1

Giving of notices

6.—(1) A notice required or authorised to be sent to a person under this Schedule may be effected by—

- (a) delivering it to him at an address which is his proper address; or
- (b) sending it to him by post to an address which is his proper address; or
- (c) transmitting to him a facsimile copy of it by means of electronic signals.

(2) A notice sent under paragraph (1) shall, for the purposes of this Schedule, be deemed to have been sent when it would have been delivered in the ordinary course of post notwithstanding that—

- (a) the notice was returned as undelivered or was for any reason not received; or
- (b) was in fact delivered or received at some other time.

(3) Any such document may—

- (a) in the case of a body corporate, be sent to the secretary or clerk of that body;
- (b) in the case of a partnership, be sent to any partner;
- (c) in the case of an unincorporated association other than a partnership, be sent to any member of the governing body of the association.

(4) For the purposes of this paragraph and section 7 of the Interpretation Act 1978, the proper address of any person is his last known address (whether of his residence or a place where he carries on business or is employed) and also any address applicable in his case under the following provisions—

- (a) in the case of a body corporate, its secretary or its clerk, the address of its registered or principal office in the United Kingdom;
- (b) in the case of an unincorporated association (other than a partnership) or member of its governing body, its principal office in the United Kingdom.

(5) Where a person has in the licence-holder's application notified [^{F133}a traffic commissioner] of an address, or, subsequently notified a new address under regulation 25, at which documents may be given to him for the purposes of correspondence that address shall also be his proper address for service for the purposes mentioned in sub-paragraph (3) or, as the case may be, his proper address for those purposes in substitution for that previously notified.

Changes to legislation: There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995. (See end of Document for details)

Textual Amendments

F133 Words in Sch. 4 para. 6(5) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), Sch. 2 (with arts. 1(3), 2, 7)

Commencement Information

I75 Sch. 4 para. 6 in force at 1.1.1996, see reg. 1

Irregularities in the giving of notices

7. Where a notice of the date, time and place fixed for the holding of an inquiry is not given in accordance with this Schedule, the traffic commissioner may nevertheless proceed with the inquiry as if notice had been duly given provided he is satisfied that no injustice or inconvenience would be caused.

Commencement Information

I76 Sch. 4 para. 7 in force at 1.1.1996, see reg. 1

Interpretation

8. In this Schedule^{F134}—

“inquiry” means an inquiry held for the purposes of the Goods Vehicles (Licensing of Operators) Act 1995; and

“the traffic commissioner” means the traffic commissioner holding an inquiry].

Textual Amendments

F134 Words in Sch. 4 para. 8 substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), Sch. 2 (with arts. 1(3), 2, 7)

Commencement Information

I77 Sch. 4 para. 8 in force at 1.1.1996, see reg. 1

SCHEDULE 5

Regulation 2

LIST OF REGULATIONS REVOKED

Commencement Information

I78 Sch. 5 in force at 1.1.1996, see reg. 1

Year and Number	Title
1984/176	The Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984

1986/666	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amend ment) Regulations 1986
1986/1391	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No. 2) Regulations 1986
1987/841	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amend ment) Regulations 1987
1987/2170	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No. 2) Regulations 1987
1988/2128	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1988
1990/1849	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1990
1990/2640	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No. 2) Regulations 1990
1991/1969	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1991
1991/2239	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No. 2) Regulations 1991
1992/2319	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1992
1993/301	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amend ment) Regulations 1993
1994/1209	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1994
1995/1488	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1995

EXPLANATORY NOTE

(This Note is not part of the Regulations)

1. These Regulations are made under powers conferred by the Goods Vehicles (Licensing of Operators) Act 1995 ("the 1995 Act") and the European Communities Act 1972.

2. These Regulations revoke and substantially re-enact the 1984 Regulations, although provisions in the 1984 Regulations dealing with the qualification requirements of operators have been moved to the 1995 Act, and provisions dealing with fees are now contained in the Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995. These Regulations also include new provisions consequent on the prospective changes to the goods vehicle operator licensing system made by Chapter III of Part I of the Deregulation and Contracting Out Act 1994 which were included in the consolidating 1995 Act, including continuous licensing and review of operating centres, and for partnerships.

3. Part I (regulations 1—3) contains general provisions including commencement, revocation and interpretation.

4. Part II (regulations 4—9) prescribes matters relating to applications for licences. In particular—

a) regulation 4 requires applications to be made on a form supplied by the traffic commissioner, to contain information required by that form and to be executed as specified;

b) regulations 5 and 6 require that unless the traffic commissioner decides otherwise an application shall reach him not less than 9 weeks before the licence or variation applied for is to take effect;

c) regulation 7 prescribes the manner of publication by a traffic commissioner of notice of applications and stipulates that it shall contain the information contained in Schedule 1;

d) regulation 8 imposes restrictions on proceeding with applications; and

e) regulation 9 provides that specified persons shall have facility to inspect applications.

5. Part III (regulations 10—13) prescribes various matters relating to objections and representations. In particular—

a) regulation 10 specifies which trade unions and associations may make an objection;

b) regulation 11 prescribes the manner in which objections or representations shall be made;

c) regulation 12 makes provision about the timing of objections and representations; and

d) regulation 13 provides that the traffic commissioner shall consider every objection or representation received by him when deciding whether or not to hold an inquiry.

6. Part IV (regulations 14—19) contains provisions about operating centres. In particular—

a) regulation 14 prescribes the conditions as to use of the operating centre which may be attached to a licence (including number, type and size of goods vehicles, parking and access arrangements and times of operation);

b) regulation 15 prescribes the environmental considerations which the traffic commissioner shall have regard to when determining the suitability of a place for use as an operating centre, or attaching, varying or removing a condition to a licence, or the effect or likely effect that an operating centre might have on the locality;

c) regulation 16 prescribes conditions to be satisfied in relation to determination of when an operating centre is regarded as being specified in an operator's licence;

d) regulations 17 and 18 prescribe the period for and the manner of service of a notice stating that the traffic commissioner proposes to review an operating centre; and

e) regulation 19 prescribes the manner of making a representation in relation to a review of an operating centre.

7. Part V (regulation 20) and Schedule 4 prescribe various matters relating to inquiries held by a traffic commissioner under section 35 of the 1995 Act.

8. Part VI (regulations 21 and 22) prescribes matters relating to the content, publication and availability of statements (known as "Applications and Decisions") by a traffic commissioner, and relating to the provision of reasons for his decisions.

9. Part VII (regulations 23—36) prescribes other matters relating to licences. In particular—

a) regulation 23 provides for specified motor vehicles being used under a licence to be identified as such by a disc;

b) regulation 24 provides for the temporary use of a motor vehicle under a licence when a vehicle specified in a licence has become unfit for service or is being restored;

c) regulation 25 provides for a traffic commissioner to be notified of a change of the address of the licence-holder;

d) regulation 26 requires that the licence-holder must within 14 days produce the licence for inspection in certain circumstances;

e) regulation 27 provides for the issue by the traffic commissioner in certain circumstances of copy licences or discs;

f) regulation 28 provides that if the licence-holder of a licence ceases to use a motor vehicle under a licence he must return the licence and the relevant discs for the traffic commissioner to vary, cancel or retain as the case may require;

g) regulation 29 provides in respect of partnerships;

h) regulation 30 with Schedule 2 provides in respect of holding companies and subsidiaries;

i) regulation 31 provides for the temporary continuance of the licence in specified circumstances of death, mental disorder, bankruptcy, liquidation and receivership of a licence-holder;

j) regulation 32 creates an offence for contravening or failing to comply with specified obligations contained in these Regulations;

k) regulation 33 with Schedule 3 specifies classes of vehicles for which an operator's licence is not required;

l) regulations 34 and 35 provide the time of and manner for service of a notice of review on the ground of procedural irregularity by the traffic commissioner; and

m) regulation 36 interprets "relevant weight" for the purpose of determining whether a goods vehicle's weight exceeds a weight restriction specified in an operator's licence.

Changes to legislation:

There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995.