

SCHEDULE 1

Regulation 2

REVOCATIONS

(1)	(2)	(3)
<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1980	S.I. 1980/637	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1981	S.I. 1981/37	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1981	S.I. 1981/527	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1982	S.I. 1982/1713	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1983	S.I. 1983/1832	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1984	S.I. 1984/179	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1984	S.I. 1984/1835	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1985	S.I. 1985/30	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great	S.I. 1988/1811	The whole Regulations

Status: This is the original version (as it was originally made).

(1) <i>Regulations revoked</i>	(2) <i>References</i>	(3) <i>Extent of revocation</i>
Britain) (Amendment) Regulations 1988		
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1989	S.I. 1989/2183	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1990	S.I. 1990/1191	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1991	S.I. 1991/2696	The whole Regulations
The Goods Vehicles (Community Authorisations) Regulations 1992	S.I. 1992/3077	Regulation 15
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1993	S.I. 1993/1416	The whole Regulations
The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) (No. 2) Regulations 1993	S.I. 1993/2120	The whole Regulations

SCHEDULE 2

Regulations 4, 5, 9(2), 12(2), 15(2) and
(3), 21(2), 26(2), 26(3), 28(2), 29(2) and
30(2)

EXEMPTION FROM SECTION 2(1) OF THE ACT FOR CERTAIN GOODS CARRIED BY CERTAIN GOODS VEHICLES

1. Luggage being carried to or from an airport.
2. Goods being carried to or from an airport in a case where an air service has been diverted.
3. Luggage being carried in trailers drawn by passenger vehicles.
4. Postal packets (as defined by section 87 of the Post Office Act 1953(1)).

(1) 1953 c. 36.

5. Damaged vehicles.
6. Animal corpses (other than those intended for human consumption) for the purpose of disposal.
7. Bees or fish stock.
8. The body of a deceased person.
9. Goods for medical or surgical care in emergency relief and in particular for relief in natural disasters.
10. Goods carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose.
11. Household effects.
12. Live animals, other than animals intended for slaughter.
13. Spare parts for ocean-going ships.
14. Spare parts and provisions for ships.
15. Spare parts and provisions for ocean-going ships where such ships have been re-routed.
16. Spare parts and provisions for ocean-going ships and aircraft.
17. Goods which by reason of their value are carried in vehicles constructed or adapted for the carriage of goods requiring special security precautions and which are accompanied by guards.
18. Works of art.
19. Antiques.
20. Goods carried exclusively for publicity or educational purposes.
21. Properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films.
22. Goods, properties or animals being carried to or from theatrical, musical, film or circus programmes, or sporting events.
23. Goods or properties intended for the making of radio or television broadcasts or films.
24. Goods carried for fairs and exhibitions.
25. Goods carried for international fairs and exhibitions.
26. Refuse.
27. Garbage.
28. Sewage.
29. Perishable foodstuffs in a state of refrigeration.
30. Broken down vehicles.

Status: This is the original version (as it was originally made).

SCHEDULE 3

Regulations 9(3), 12(3), 15(3), 26(4),
28(3) and 30(3)

EXEMPTIONS FROM SECTION 2(1) OF THE ACT
FOR CERTAIN FOREIGN GOODS VEHICLES

1. A vehicle having a permissible laden weight not exceeding 6 metric tons or a permissible pay load not exceeding 3.5 metric tons.
2. A goods vehicle used for the carriage of an abnormal indivisible load or other wide load provided that the requirements of the Motor Vehicles (Authorisation of Special Types) General Order 1979(2), are complied with.
3. A relief vehicle.

SCHEDULE 4

Regulation 9(4) and 22(2)

MODIFICATION TO SECTION 2(1) OF THE ACT IN RELATION TO CERTAIN
FOREIGN GOODS VEHICLES AND NORTHERN IRELAND VEHICLES

“2.—(1) Subject to subsection (2) of this section and to the other provisions of this Part of this Act, no person shall use a goods vehicle on a road for the carriage of goods for or in connection with any trade or business carried on by him unless there is carried on the vehicle, or, if that vehicle is a trailer, on the motor vehicle by which it is drawn, a document containing particulars of the user of the goods vehicle, his trade or business, the goods being carried, their loading and unloading points, the vehicle, and the route.”

SCHEDULE 5

Regulations 9(5), 12(6), 15(4), 21(3),
26(5), 28(5), 29(3) and 30(4)

MODIFICATION TO SECTION 2(1) OF THE ACT IN
RELATION TO CERTAIN FOREIGN GOODS VEHICLES

“2.—(1) Subject to subsection (2) of this section and to the other provisions of this Part of this Act, no person shall use a goods vehicle on a road for the carriage of goods—

- (a) for hire or reward, or
- (b) for or in connection with any trade or business carried on by him,

except under a permit carried on the vehicle or, if the vehicle is a trailer, on the motor vehicle by which it is drawn, issued with the authority of the Secretary of State, and authorising the vehicle to be used for the carriage of goods on the journey on which the goods are being carried.”

SCHEDULE 6

Regulation 31

PART I

MODIFICATIONS TO THE GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995 IN RELATION TO FOREIGN GOODS VEHICLES

The Act shall have effect—

- (a) as if for section 5(1) there were substituted the following—
 - “(1) The vehicles authorised to be used under an operator’s licence are—
 - (a) any motor vehicle in the lawful possession of the licence-holder that is specified in the licence;
 - (b) any trailer in the lawful possession of the licence-holder, and for the purposes of this section different types of trailers may be distinguished in a licence and a maximum number may be specified in the licence for trailers of each type.”;
- (b) as if sections 5(4) to (7), 6(1)(a), (3) and (4), and 7 were omitted;
- (c) as if for section 8(1), there were substituted the following—
 - “(1) A person applying for an operator’s licence with a view to enabling goods vehicles brought temporarily into Great Britain to be used shall apply to such traffic commissioner as the Secretary of State may from time to time direct and shall not at any time hold more than one such licence”;
- (d) as if sections 8(2), (3)(b) and (5) were omitted;
- (e) as if for section 8(4), there were substituted the following—
 - “(4) A person applying for an operator’s licence shall also give to the traffic commissioner details of—
 - (a) the notifiable convictions within the meaning given in paragraph 4 of Schedule 2, and
 - (b) a prohibition under section 69 or 70 of the Road Traffic Act 1988 of the driving of a vehicle of which he was the owner when the prohibition was imposed.”;
- (f) as if in section 9(1), there was inserted at the end of the sub-section “, or a prohibition under section 69 or 70 of the Road Traffic Act 1988 of the driving of a vehicle which he owned”, and section 9(2) was omitted;
- (g) as if sections 10, 11, 12, 13(2) to (11), 14 and 15 were omitted;
- (h) as if for section 13(1) there were substituted the following—
 - “(1) On an application for an operator’s licence the traffic commissioner shall consider whether the applicant satisfies the requirement that he is a fit and proper person to hold an operator’s licence having regard in particular to his previous known conduct in respect of the use and operation of motor vehicles in the United Kingdom.”;
- (i) as if in section 16(1) there were substituted the following—
 - “(1) The operator’s licence shall specify in the licence—
 - (a) the date on which it is to come into force, and
 - (b) the date when it will terminate, which date shall not be less than three months after the coming into force of the licence.”;
- (j) as if section 16(2) and (4) and the words “subject to subsection (4)” in section 16(3) were omitted;

- (k) as if in section 17(1) there were substituted the following—
- “(1) On the application of the holder of an operator’s licence, the traffic commissioner by whom the licence was issued may vary the licence by directing that any vehicle may cease to be specified in the licence and at the same time direct that another [similar] vehicle shall be specified in the licence as a substitute.”;
- (l) as if sections 17(3) to (5), and 18 to 21 were omitted;
- (m) as if in section 22(1) there were substituted the following—
- “(1) On issuing an operator’s licence, a traffic commissioner may attach to the licence such conditions as he thinks fit for requiring the holder to inform him of any event of a kind specified in the conditions which affect the licence-holder and which is relevant to the exercise of any powers of the traffic commissioner in relation to the licence.”;
- (n) as if section 22(2) to (6), and 23 to 25 were omitted;
- (o) as if in section 26(1) there were substituted the following—
- “(1) Subject to the provisions of section 29, the traffic commissioner by whom an operator’s licence was issued may direct that it be revoked, suspended or curtailed on the grounds—
- (a) that during the five years ending with the date on which the direction is given there has been either a conviction of the licence-holder of a notifiable conviction within the meaning of paragraph 4 of Schedule 2, or a prohibition under section 69 or 70 of the Road Traffic Act 1988 of the driving of a vehicle of which the licence-holder was the owner when the prohibition was imposed, or
- (b) that since the licence was issued or varied he has learned that a statement of fact was false or statement of expectation has not been fulfilled.”;
- (p) as if sections 26(2) to (10) and (11)(c) and (d), and 27 were omitted;
- (q) as if in section 28(1) there were substituted the following—
- “(1) Where, 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 (either indefinitely or for such period as the commissioner thinks fit) from holding or obtaining an operator’s licence in Great Britain.”;
- (r) as if section 28(3) were omitted;
- (s) as if sections 30 to 34 and sections 40, 44 and 49 were omitted.

PART II

MODIFICATIONS TO THE GOODS VEHICLES (LICENSING OF OPERATORS) REGULATIONS 1995 IN RELATION TO FOREIGN GOODS VEHICLES

The Goods Vehicles (Licensing of Operators) Regulations 1995(3) shall have effect:—

- (a) as if regulations 4(c), 7, 9(1) and (3), 10 to 19, 21(1)(a)(i) and (iii), 21(1)(d), 22(1)(b) and (c), 22(2)(b), 22(3), 28(2) and (5), 29(1), (3) to (5), (7), and (12), 31 and 36 were omitted;
- (b) as if in regulation 8(1) for the words “grant of that application would lead to a contravention of section 8(2)” there were substituted “applicant already holds an operator’s licence in Great Britain”;
- (c) as if in regulation 21(1)(b) the words “or section 27” were omitted;

(3) S.I. 1995/2869.

- (d) as if in regulation 23(2) there were substituted the following—
“The disc shall clearly indicate (by colour or other means) that the vehicle is a foreign goods vehicle.”;
- (e) as if in regulation 26(1), for the words “and the licence-holder may do so” to the end there were substituted “at a place specified by the person requiring its production”;
- (f) as if in regulation 33(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 legal requirements of the State of establishment of the operator of the foreign goods vehicle”.