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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

**The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022**

**PART 13**

**Amendment of the Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012**

**Amendment of the Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012**

**124.** The Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012(1) are amended in accordance with regulations 125 to 132.

**Amendment of regulation 2 (interpretation)**

**125.** In regulation 2(1)—

(a) after the definition of “firm” insert—

““heavy goods vehicle” has the meaning given in section 58(1);”;

(b) after the definition of “the Qualification of Operators Regulations” insert—

““transport manager” has the meaning given in section 12A(5);”.

**Amendment of regulation 3 (manner of making applications)**

**126.** In regulation 3(2)(b), before “containing” insert “in the case of a heavy goods vehicle licence,”.

**Amendment of regulation 13 (conditions which may be attached to a licence)**

**127.** In regulation 13—

(a) in paragraphs (a) and (b), for “motor vehicles or trailers” substitute “heavy goods vehicles”; and

(b) in paragraphs (c) and (d), for “motor vehicle or trailer” substitute “heavy goods vehicle”.

**Amendment of regulation 14 (considerations relevant to determinations)**

**128.**—(1) In the heading to regulation 14, after “determinations” insert “as to environmental matters”.

(2) In regulation 14(1)—

- (a) in paragraphs (d) and (e), for “motor vehicles or trailers” substitute “heavy goods vehicles”; and
- (b) in paragraph (h), for “vehicular” substitute “heavy goods vehicle”.

**Amendment of regulation 27 (partnerships)**

**129.**—(1) In regulation 27(3)—

- (a) for sub-paragraph (b) substitute—

“(b) the firm has—

- (i) an effective and stable establishment in Northern Ireland; and
- (ii) appropriate financial standing; and”;

- (b) for sub-paragraph (c) substitute—

“(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 regulation 13A(1) and (2) of the Qualification of Operators Regulations; 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 regulation 13A(1) and (3) of the Qualification of Operators Regulations.”.

(2) In regulation 27(7)—

- (a) for sub-paragraph (b) substitute—

“(b) the firm ceases to satisfy the Department it has—

- (i) an effective and stable establishment in Northern Ireland; or
- (ii) appropriate financial standing; or”;

- (b) for sub-paragraph (c) substitute—

“(c) a transport manager for the firm ceases to satisfy the requirements set out in regulation 13A(1) and (2), or (1) and (3), of the Qualification of Operators Regulations.”.

(3) In regulation 27(12), omit sub-paragraph (b) and the “and” before it.

**Amendment of regulation 28 (holding companies and subsidiaries)**

**130.** For regulation 28(8) substitute—

“(8) In this regulation—

“relevant conviction” means a notifiable conviction within the meaning given in paragraph 4 of Schedule 1;

“road transport undertaking” means an undertaking that involves the use of a goods vehicle authorised to be used under an operator’s licence.”.

**Amendment of Schedule 2 (notice of application for a licence or a variation of a licence)**

**131.**—(1) For the heading to Schedule 2 substitute “NOTICE OF APPLICATION FOR HEAVY GOODS VEHICLE LICENCE OR VARIATION OF HEAVY GOODS VEHICLE LICENCE”.

(2) In Schedule 2, in paragraph 1(f) and (g), for “motor vehicles and trailers” substitute “heavy goods vehicles”.

**Amendment of Schedule 3 (inquiries)**

**132.** In Schedule 3, in paragraph 3(4)(a), for “13” substitute “14”.