



# International Road Haulage Permits Act 1975

## 1975 CHAPTER 46

### **2 Power to prohibit vehicle or trailer being taken out of the United Kingdom.**

- (1) If it appears to an examiner—
- (a) that a goods vehicle or a trailer is being used in such circumstances as are specified in subsection (2) of section 1 above, and
  - (b) that, without reasonable excuse, the driver of the goods vehicle or, as the case may require, the person in charge of, or the driver of a vehicle drawing, the trailer has refused or failed to comply with a requirement under that subsection,
- the examiner may prohibit the removal of the goods vehicle or trailer out of the United Kingdom, either absolutely or for a specified purpose, and either for a specified period or without limitation of time.
- (2) Where an examiner prohibits the removal of a goods vehicle or trailer out of the United Kingdom under subsection (1) above, he shall forthwith give notice in writing of the prohibition to the driver of the goods vehicle or, as the case may require, to the person in charge of, or the driver of the vehicle drawing, the trailer, specifying—
- (a) the circumstances in consequence of which the prohibition is imposed,
  - (b) whether the prohibition applies absolutely or for a specified purpose, and
  - (c) whether the prohibition is for a specified period or without limit of time,
- and the prohibition under subsection (1) above shall come into force as soon as notice thereof is given under this subsection.
- (3) Where an examiner is satisfied, with respect to a goods vehicle or trailer to which a prohibition under subsection (1) above relates,—
- (a) that the goods vehicle or trailer is being used on a journey to which regulations under section 1(1) above do not apply, or
  - (b) that there is carried on the goods vehicle or, in the case of a trailer, on the vehicle drawing it or by a person in charge of it a document of a description specified in those regulations,

he may remove the prohibition and, where he does so, shall forthwith give notice in writing of the removal of the prohibition to the driver of the goods vehicle or, as the case may require, to the person in charge of, or the driver of the vehicle drawing, the trailer and the prohibition shall cease to have effect on the giving of that notice.

- (4) Unless the person to whom a notice is given under subsection (2) or subsection (3) above is the person using the vehicle concerned, as soon as practicable after such a notice has been given, the examiner who gave it shall take steps to bring the contents of the notice to the attention of the person using the vehicle.
- (5) In the exercise of his functions under this section, an examiner shall act in accordance with any general directions given by the Secretary of State.
- (6) Any person who, without reasonable excuse,—
  - (a) removes a goods vehicle or trailer out of the United Kingdom in contravention of a prohibition under subsection (1) above, or
  - (b) causes or permits a goods vehicle or trailer to be removed out of the United Kingdom in contravention of such a prohibition,shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200.
- (7) Subsections (8) and (9) of section 1 above shall apply in relation to this section as they apply in relation to that.