



Deregulation and Contracting Out Act 1994

1994 CHAPTER 40

PART I

DEREGULATION

CHAPTER III

GOODS VEHICLE OPERATOR LICENSING

55 Operators' licences not to be transferable etc

For section 86 of the 1968 Act there shall be substituted—

“86 Operators' licences not to be transferable etc

- (1) Subject to any regulations under section 85 of this Act, an operator's licence is not transferable or assignable.
- (2) Regulations may make provision enabling the licensing authority, where the holder of an operator's licence granted by him has died or become a patient within the meaning of Part VII of the Mental Health Act 1983, to direct that the licence be treated—
 - (a) as not having terminated at the time the licence-holder died or became such a patient but as having been suspended (that is, as having remained in force subject to the limitation that no vehicles were authorised to be used under it) from that time until the time the direction comes into force; and
 - (b) as having effect from the time the direction comes into force for a specified period and as being held during that period (for such purposes and to such extent as may be specified) not by the person to whom

Status: This is the original version (as it was originally enacted).

it was granted but by such other person carrying on that person's business, or part of that person's business, as may be specified.

- (3) Regulations may make provision enabling the licensing authority in prescribed circumstances to direct that any operator's licence granted by him be treated (for such purposes, for such period and to such extent as may be specified) as held not by the person to whom it was granted but by such other person carrying on that person's business, or part of that person's business, as may be specified.
- (4) Regulations may make provision enabling the licensing authority to direct, for the purpose of giving effect to or supplementing a direction given by him by virtue of subsection (2) or (3) of this section, that this Part of this Act apply with specified modifications in relation to the person who is to be treated under the direction as the holder of an operator's licence.
- (5) In this section "specified", in relation to a direction, means specified—
 - (a) in the regulations under which the direction was given; or
 - (b) in the direction in accordance with those regulations."