



Goods Vehicles (Licensing of Operators) Act 1995

1995 CHAPTER 23

Interim licences and interim variations

24 **Interim operators' licences.** **E+W+S**

- (1) On an application for an operator's licence (a "full" licence), a traffic commissioner may, if the applicant so requests, issue to him an interim licence.
- (2) An interim licence is an operator's licence that (subject to its revocation or other termination under any provision of this Act or any other statutory provision) will continue in force until it terminates under subsection (4), (5) or (6).
- (3) [^{F1}A traffic commissioner] may issue an interim licence in the same terms as those applied for in relation to the full licence or in terms that differ from those terms in any of the respects mentioned in section 15(3).
- (4) If [^{F2}a traffic commissioner] grants the application and issues to the applicant a full licence that—
 - (a) is in the terms applied for, or
 - (b) is in those terms subject only to the attachment under section 21, 22 or 23 of any conditions that are also attached to the interim licence,the interim licence shall terminate on the date on which the full licence comes into force.
- (5) If, on an appeal under section 37 arising out of the application, the [^{F3}Upper Tribunal] orders [^{F4}a traffic commissioner] to issue a full licence to the applicant, the interim licence shall terminate—
 - (a) on the date on which the full licence issued in pursuance of the order comes into force, or
 - (b) at the time at which the application is withdrawn or treated as withdrawn by virtue of section 45(3).

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- (6) If neither subsection (4) nor subsection (5) applies, the interim licence shall terminate on the date on which the application is finally disposed of or such earlier date as the applicant may specify in a written request to [^{F5}a traffic commissioner] .
- (7) Where, in a case within subsection (6), the application is granted, the full licence issued to the applicant shall be of no effect before the interim licence terminates (notwithstanding any statement in it to the contrary).
- [^{F6}(7A) A request for the issuing of an interim standard licence—
- (a) shall not be treated as an application for an operator’s licence for the purposes of section 10, 11, 12, 14, 15(1) to (4), 36 or 37 or Schedule 4, but
 - (b) shall be treated as such an application for the purposes of any other provision of this Act.]
- (8) A request for the issuing of an interim [^{F7}restricted] licence—
- (a) shall not be treated as an application for an operator’s licence for the purposes of section 10, 11, 12, 13, 14, 15(1) to (4), 36 or 37 or Schedule 4, but
 - (b) shall be treated as such an application for the purposes of any other provision of this Act.
- (9) In this section and section 25 references to the date on which an application is finally disposed of are references—
- (a) subject to paragraph (b), to the earliest date by which the application and any appeal to the [^{F8}Upper Tribunal] arising out of the application have been determined and any time for bringing such an appeal has expired, or
 - (b) if the application is withdrawn or any such appeal is abandoned, to the date of the withdrawal or abandonment.

Textual Amendments

- F1** Words in s. 24(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. 1** (with arts. 1(3), 2, 7)
- F2** Words in s. 24(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. 1** (with arts. 1(3), 2, 7)
- F3** Words in s. 24(5) substituted (1.9.2009) by Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 1 para. 19**
- F4** Words in s. 24(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. 1** (with arts. 1(3), 2, 7)
- F5** Words in s. 24(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. 1** (with arts. 1(3), 2, 7)
- F6** S. 24(7A) inserted (4.12.2011) by The Road Transport Operator Regulations 2011 (S.I. 2011/2632), reg. 1(1), **Sch. 2 para. 9(a)** (with Sch. 3 Pt. 2)
- F7** Word in s. 24(8) inserted (4.12.2011) by The Road Transport Operator Regulations 2011 (S.I. 2011/2632), reg. 1(1), **Sch. 2 para. 9(b)** (with Sch. 3 Pt. 2)
- F8** Words in s. 24(9)(a) substituted (1.9.2009) by Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 1 para. 19**

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25 Interim variations. **E+W+S**

- (1) On an application for the variation under section 17 of an operator's licence, if the applicant so requests [^{F9}a traffic commissioner may, before the application has been determined,] vary the licence by giving an interim direction in respect of it.
- (2) An interim direction is a direction under section 17(1) that is expressed to continue in force until it ceases to have effect under subsection (3) or (4) below.
- (3) If on determining the application [^{F10}a traffic commissioner] varies the licence by giving a direction in the terms applied for and does not also under section 21(1) or (2) or 23(1) or (3) attach or vary any conditions, the interim direction shall cease to have effect on the date on which the direction given on the application comes into force.
- (4) If subsection (3) does not apply, the interim direction shall cease to have effect on the date on which the application is finally disposed of or such earlier date as the applicant may specify in a written request to [^{F11}a traffic commissioner] .
- (5) Where, in a case within subsection (4), on determining the application [^{F12}a traffic commissioner] gives a direction varying the licence, that direction shall be of no effect before the interim direction ceases to have effect.
- (6) A request for an interim direction to be given—
 - (a) shall not be treated as an application for the variation of an operator's licence for the purposes of section 17(3) or 37 or Schedule 4, but
 - (b) shall be treated as such an application for the purposes of any other provision of this Act.
- (7) The reference in subsection (4) to the date on which an application is finally disposed of is to be construed in accordance with section 24(9).

Textual Amendments

- F9** Words in s. 25(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. 1** (with arts. 1(3), 2, 7)
- F10** Words in s. 25(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. 1** (with arts. 1(3), 2, 7)
- F11** Words in s. 25(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. 1** (with arts. 1(3), 2, 7)
- F12** Words in s. 25(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. 1** (with arts. 1(3), 2, 7)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(6)(6A) substituted for s. 5(6) by [2000 c. 38 s. 263](#)