

*Status: Point in time view as at 06/04/2010.*

*Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995, Paragraph 5 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### INFORMATION ABOUT, AND CONVICTIONS OF, APPLICANTS FOR AND HOLDERS OF OPERATORS’ LICENCES

##### *Offences*

- 5 The offences are—
- (a) an offence under section 53 of the <sup>M1</sup>Road Traffic Act 1988 (plating certificates and goods vehicle test certificates);
  - (b) an offence committed in relation to a goods vehicle consisting in the contravention of any provision (however expressed) contained in or having effect under any enactment (including any enactment passed after this Act) relating to—
    - (i) the maintenance of vehicles in a fit and serviceable condition;
    - (ii) limits of speed and weight laden and unladen, and the loading of goods vehicles; or
    - (iii) the licensing of drivers;
  - (c) an offence under—
    - (i) this Act;
    - (ii) Part V of the <sup>M2</sup>Transport Act 1968 or section 233 or 235 of the <sup>M3</sup>Road Traffic Act 1960 so far as applicable (by virtue of Schedule 10 to the 1968 Act) to licences or means of identification under that Part;
    - (iii) regulation 33(2) or (3) of the <sup>M4</sup>Goods Vehicles (Operators’ Licences, Qualifications and Fees) Regulations 1984; or
    - (iv) any regulation made under this Act or the <sup>M5</sup>Transport Act 1968 which is prescribed for the purposes of this paragraph;
  - (d) an offence under, or of conspiracy to contravene, Part VI of the Transport Act 1968 (drivers’ hours) committed in relation to a goods vehicle;
  - (e) an offence under, or of conspiracy to contravene, section 13 of the <sup>M6</sup>Hydrocarbon Oil Duties Act 1979 (unlawful use of rebated fuel oil) committed in relation to a goods vehicle;
  - (f) an offence under section 173 or 174 of the <sup>M7</sup>Road Traffic Act 1988 (forgery, false statements and withholding of information) committed in relation to an international road haulage permit within the meaning of that Act;
  - (g) an offence under section 2 of the <sup>M8</sup>International Road Haulage Permits Act 1975 (removing, or causing or permitting the removal of, a goods vehicle or trailer from the United Kingdom in contravention of a prohibition imposed under that section);

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- (h) an offence under section 74 of the <sup>M9</sup>Road Traffic Act 1988 (operator’s duty to inspect, and keep records of inspection of, goods vehicles);
- (i) an offence under—
  - (i) section 3 of the <sup>M10</sup>Control of Pollution Act 1974;
  - (ii) section 2 of the <sup>M11</sup>Refuse Disposal (Amenity) Act 1978;
  - (iii) section 1 of the <sup>M12</sup>Control of Pollution (Amendment) Act 1989; or
  - (iv) section 33 of the <sup>M13</sup>Environmental Protection Act 1990;
- <sup>F1</sup>(ia) an offence under [<sup>F2</sup>regulation 38(1)(a) or 38(1)(b) of the Environmental Permitting (England and Wales) Regulations 2007]<sup>F2</sup>regulation 38(1) or (2) of the Environmental Permitting (England and Wales) Regulations 2010]] committed in relation to a waste operation (within the meaning of those Regulations).]
- (j) an offence committed in relation to a goods vehicle consisting in the contravention of—
  - (i) any provision (however expressed) prohibiting or restricting the waiting of vehicles which is contained in an order made under section 1, 6, 9 or 12 of the <sup>M14</sup>Road Traffic Regulation Act 1984, including any such order made by virtue of paragraph 3 of Schedule 9 to that Act (local authority powers to be exercisable also by Secretary of State); or
  - (ii) any provision which is contained in a traffic regulation order, within the meaning of section 1 of that Act, by virtue of section 2(4) of that Act (lorry routes).

#### Textual Amendments

- F1** Sch. 2 para. 5(ia) inserted (E.W.) (6.4.2008) by [The Environmental Permitting \(England and Wales\) Regulations 2007 \(S.I. 2007/3538\)](#), reg. 1(1)(b), **Sch. 21 para. 24(2)** (with reg. 72, Sch. 4)
- F2** Words in Sch. 2 para. 5(ia) substituted (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), **Sch. 26 para. 12** (with reg. 1(2), Sch. 4)

#### Marginal Citations

- M1** 1988 c. 52.  
**M2** 1968 c. 73.  
**M3** 1960 c. 16.  
**M4** S.I. 1984/176.  
**M5** 1968 c. 73.  
**M6** 1979 c. 5.  
**M7** 1988 c. 52.  
**M8** 1975 c. 46.  
**M9** 1988 c. 52.  
**M10** 1974 c. 40.  
**M11** 1978 c. 3.  
**M12** 1989 c. 14.  
**M13** 1990 c. 43.  
**M14** 1984 c. 27.

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