

Status: Point in time view as at 01/12/2020.

Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995 is up to date with all changes known to be in force on or before 07 July 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 1

Section 2.

MEANING OF “SMALL GOODS VEHICLE”

^{F1}1

Textual Amendments

F1 Sch. 1 para. 1 omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 19(2)** (with Sch. 3 Pt. 2)

[^{F2}1A. A goods vehicle falls within this paragraph if the vehicle, or a vehicle combination including the vehicle, has a permissible laden mass not exceeding 3.5 tonnes]

Textual Amendments

F2 Sch. 1 para. 1A inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 19(3)** (with Sch. 3 Pt. 2)

2 A goods vehicle falls within this paragraph if it does not form part of a vehicle combination and—

- (a) has a relevant plated weight not exceeding 3.5 tonnes, or
- (b) if it does not have a relevant plated weight, has an unladen weight not exceeding 1525 kilograms.

3 (1) A goods vehicle falls within this paragraph if it forms part of a vehicle combination, other than an articulated combination, and the combination is such that—

- (a) in a case where all the vehicles comprised in it, or all of those vehicles except any small trailer, have relevant plated weights, the aggregate of the relevant plated weights of those vehicles, exclusive of any such trailer, does not exceed 3.5 tonnes, or
- (b) in any other case, the aggregate of the unladen weights of the vehicles comprised in the combination, exclusive of any small trailer, does not exceed 1525 kilograms.

(2) In this paragraph “small trailer” means a trailer having an unladen weight not exceeding 1020 kilograms.

4 A goods vehicle falls within this paragraph if it forms part of an articulated combination which is such that—

- (a) in a case where the trailer comprised in the combination has a relevant plated weight, the aggregate of—
 - (i) the unladen weight of the motor vehicle comprised in the combination, and
 - (ii) the relevant plated weight of that trailer,

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- does not exceed 3.5 tonnes, or
- (b) in any other case, the aggregate of the unladen weights of the motor vehicle and the trailer comprised in the combination does not exceed 1525 kilograms.
- 5 In any provision of paragraphs 2 to 4 “relevant plated weight” means a plated weight of the description specified in relation to that provision by regulations.

[^{F3}SCHEDULE 1A

DETENTION OF VEHICLES USED WITHOUT OPERATOR’S LICENCE

Textual Amendments

F3 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), **Sch. 30**; S.I. 2001/57, **art. 3 Sch. 2 Pt. I**

^{F4} Interpretation

Textual Amendments

F4 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), **Sch. 30**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I**

- ^{F51} (1) In this Schedule—
- “authorised person” means—
- (a) an examiner appointed by the Secretary of State under section 66A of the ^{M1}Road Traffic Act 1988, or
- (b) a person acting under the direction of such an examiner;
- “contents”, in relation to a goods vehicle, means any goods carried by that vehicle;
- “immobilisation device” means any device or appliance which is an immobilisation device for the purposes of section 104 of the ^{M2}Road Traffic Regulation Act 1984.
- (2) Regulations may, for the purposes of regulations made by virtue of this Schedule, make provision as to the meaning of “owner” as regards a goods vehicle.
- (3) Regulations made by virtue of sub-paragraph (2) may, in particular, provide that the owner of a motor vehicle at a particular time shall be taken to be—
- (a) any person in whose name it is then registered by virtue of the ^{M3}Vehicle Excise and Registration Act 1994, or
- (b) any person in whose operator’s licence it is then specified.

Textual Amendments

F5 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), **Sch. 30**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** as amended by S.I. 2001/115, **art. 2**

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Marginal Citations

- M1** 1988 c. 52.
M2 1984 c. 27.
M3 1994 c. 22.

^{F6} Detention of property

Textual Amendments

- F6** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F72} (1) Regulations may provide that where an authorised person has reason to believe that a goods vehicle is being, or has been, used on a road in contravention of section 2, he may detain the vehicle and its contents.
- (2) Regulations made by virtue of sub-paragraph (1) may not authorise a person other than a constable in uniform to stop a vehicle on any road.

Textual Amendments

- F7** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F83} Regulations may make provision with respect to property detained by virtue of paragraph 2.

Textual Amendments

- F8** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(2), Sch. 2 Pt. I

^{F9} Immobilisation and removal

Textual Amendments

- F9** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F104} (1) Regulations may provide that an authorised person may, before a goods vehicle is removed by virtue of paragraph 6—
- (a) fix an immobilisation device to the vehicle in the place where the vehicle has been detained, or
 - (b) move the vehicle, or require it to be moved, to a more convenient place and fix an immobilisation device to the vehicle in that other place.
- (2) Regulations may also provide—
- (a) that, on any occasion when an immobilisation device is fixed to a vehicle, the person fixing the device shall also fix to the vehicle a notice indicating that the device has been fixed to the vehicle and warning that no attempt should be made to drive it or otherwise put it in motion and giving such other information as may be prescribed,

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- (b) that a vehicle to which an immobilisation device has been fixed may only be released from the device by or under the direction of an authorised person, and
- (c) that an immobilisation notice shall not be removed or interfered with except by or on the authority of an authorised person.

Textual Amendments

F10 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F11}5 (1) Regulations may provide that a person who, without being authorised to do so in accordance with paragraph 4(2)(b), removes or attempts to remove an immobilisation device fixed to a goods vehicle under regulations made by virtue of paragraph 4(1) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) Regulations may provide that a person who removes or interferes with an immobilisation notice in contravention of regulations made by virtue of paragraph 4(2)(c) is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Textual Amendments

F11 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F12}6 (1) Regulations may make provision for an authorised person to direct that any property detained by virtue of paragraph 2 be removed and delivered into the custody of a person specified in the direction.
- (2) Regulations may provide that a person may be specified in a direction only if—
- (a) he is a person identified in accordance with prescribed rules, and
 - (b) he has made arrangements with the Secretary of State and agreed to accept delivery of the property in accordance with those arrangements;
- and the arrangements may include the payment of a sum to a person into whose custody any property is delivered.
- (3) Regulations may also provide that, where an authorised person has given a direction by virtue of sub-paragraph (1) in respect of a goods vehicle, he may allow the driver of the vehicle to deliver its contents to their destination or some other suitable place before delivering the vehicle into the custody of the person specified in the direction.

Textual Amendments

F12 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F13}7 (1) Regulations may make provision for informing persons who may be entitled to the property that it has been detained.
- (2) Provision made by virtue of sub-paragraph (1) may, in particular, include provision requiring—
- (a) the publication by an authorised person of such notices as may be prescribed, and

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- (b) the giving of notice by an authorised person to such persons as may be prescribed.

Textual Amendments

F13 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

F14 Return or disposal of vehicle

Textual Amendments

F14 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- [^{F158} Regulations may make provision authorising a vehicle detained by virtue of paragraph 2 to be returned to the owner, in prescribed circumstances, without the need for any application under paragraph 9.]

Textual Amendments

F15 Sch. 1A para. 8 substituted (26.11.2008 for specified purposes, 9.2.2009 in so far as not already in force) by Local Transport Act 2008 (c. 26), ss. 126(2), 134(1)(c), (4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

- ^{F169} (1) Regulations shall make provision enabling the owner of a goods vehicle detained by virtue of paragraph 2 to apply to [^{F17}a traffic commissioner] for the return of the vehicle.
- (2) Regulations may, in particular—
- (a) require notice of an application to be given to [^{F18}a traffic commissioner] within such period as may be determined in accordance with the regulations, and
- (b) require notice of an application to be made in such form as may be prescribed.
- (3) Regulations shall make provision as to the grounds upon which the owner may apply for the return of the vehicle.
- (4) Those grounds may include the following grounds—
- (a) that at the time the vehicle was detained the person using the vehicle held an operator's licence (whether or not authorising the use of the vehicle),
- (b) that at the time the vehicle was detained the vehicle was not being, and had not been, used in contravention of section 2, or
- (c) that, although at the time the vehicle was detained it was being, or had been, used in contravention of section 2, the owner did not know that it was being, or had been, so used.

Textual Amendments

F16 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3, Sch. 2 Pt. I as amended by S.I. 2001/115, art. 2

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- F17** Words in Sch. 1A para. 9(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)
- F18** Words in Sch. 1A para. 9(2)(a) 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)

- ^{F19}10 (1) Regulations shall make provision—
- (a) enabling [^{F20}a traffic commissioner] to hold a hearing before determining an application by virtue of paragraph 9,
 - (b) requiring [^{F21}a traffic commissioner] to hold a hearing if requested by a person who claims to be the owner,
 - (c) as to the time within which the hearing must be held, and
 - (d) subject to such provision as may be made by the regulations, for the hearing to be held in public.
- (2) Regulations shall also provide that, if no hearing is held, [^{F22}the application must be determined by a traffic commissioner within a prescribed time after notice of the application is received] .
- (3) Regulations shall provide that—
- (a) if [^{F23}a traffic commissioner] determines that one of the grounds prescribed by virtue of paragraph 9(3) is made out, he must order the person specified in a direction by virtue of paragraph 6(1) to return the goods vehicle to the owner;
 - (b) if [^{F23}a traffic commissioner] determines that none of those grounds is made out, the vehicle may be sold or destroyed by the person specified, in such manner as may be prescribed.

Textual Amendments

F19 Sch. 1A inserted (1.2.2001) by [2000 c. 38, s. 262\(2\)](#), **Sch. 30**; [S.I. 2001/57](#), art. 3, **Sch. 2 Pt. I** as amended by [S.I. 2001/115](#), art. 2

F20 Words in [Sch. 1A](#) para. 10(1)(a) 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)

F21 Words in [Sch. 1A](#) para. 10(1)(b) 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)

F22 Words in [Sch. 1A](#) para. 10(2) 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)

F23 Words in [Sch. 1A](#) para. 10(3)(a)(b) 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)

[^{F24}11 (1) Regulations shall provide for an appeal to the [^{F25}Upper Tribunal] against the determination of the traffic commissioner.

^{F26}(2)]

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Textual Amendments

- F24** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), 275(1), **Sch. 30**; S.I. 2001/57, art. 3, **Sch. 2 Pt. I** (as amended by S.I. 2001/115, art. 2)
- F25** Words in Sch. 1A para. 11(1) 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. 23(a)**
- F26** Sch. 1A para. 11(2) omitted (1.9.2009) by virtue of Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 1 para. 23(b)**

- ^{F27}12 Regulations may provide that, if no application is made to [^{F28}a traffic commissioner] in accordance with regulations made by virtue of paragraph 9, any goods vehicle detained by virtue of paragraph 2 may be sold or destroyed in such manner as may be prescribed.

Textual Amendments

- F27** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), **Sch. 30**; S.I. 2001/57, art. 3, **Sch. 2 Pt. I** as amended by S.I. 2001/115, art. 2
- F28** Words in Sch. 1A para. 12 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)

^{F29} Return or disposal of contents of vehicle

Textual Amendments

- F29** Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), **Sch. 30**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I**

- ^{F30}13 (1) Regulations may provide that the person specified in a direction by virtue of paragraph 6(1) may retain custody of the contents of a goods vehicle until—
- (a) the contents are returned, in accordance with the regulations, to a person who establishes that he is entitled to them, or
 - (b) the contents are sold or destroyed by the person specified in such manner as may be prescribed.
- (2) Regulations may also make provision as to—
- (a) the period within which a person who claims to be entitled to the contents may make a claim for their return,
 - (b) the requirements to be satisfied by a person who claims to be entitled to the contents (including requirements as to his entitlement), and
 - (c) the manner in which entitlement to such contents is to be determined where there is more than one claim to them.
- (3) The person specified in a direction by virtue of paragraph 6(1) may not sell or destroy the contents unless—
- (a) such steps as may be required by regulations made by virtue of paragraph 7(1) have been taken and no person has, before the expiry of the period referred to in sub-paragraph (2)(a), established an entitlement to the contents, or
 - (b) the condition of the contents requires them to be disposed of without delay.

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Textual Amendments

F30 [Sch. 1A](#) inserted (1.2.2001) by [2000 c. 38, s. 262\(2\)](#), [Sch. 30](#); [S.I. 2001/57, art. 3](#), [Sch. 2 Pt. I](#) as amended by [S.I 2001/115, art. 2](#)

F31 Custody of property

Textual Amendments

F31 [Sch. 1A](#) inserted (1.2.2001) by [2000 c. 38, s. 262\(2\)](#), [Sch. 30](#); [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#)

- ^{F32}14 Regulations shall provide that, subject to the powers of a person specified in a direction by virtue of paragraph 6(1) to sell or destroy any property by virtue of this Schedule, it shall be the duty of that person while any property is in his custody to take such steps as are necessary for the safe custody of that property.

Textual Amendments

F32 [Sch. 1A](#) inserted (1.2.2001) by [2000 c. 38, s. 262\(2\)](#), [Sch. 30](#); [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2](#)

F33 Proceeds of sale

Textual Amendments

F33 [Sch. 1A](#) inserted (1.2.2001) by [2000 c. 38, s. 262\(2\)](#), [Sch. 30](#); [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#)

- ^{F34}15 (1) Regulations shall provide for the proceeds of sale of any property sold under regulations made by virtue of paragraph 10(3)(b), 12 or 13(1)(b)—
- (a) to be applied towards meeting expenses incurred by any authorised person in exercising his functions by virtue of this Schedule, and
 - (b) in so far as they are not so applied, to be applied in such other manner as may be prescribed.
- (2) Regulations may in particular provide for a sum determined in accordance with the regulations to be paid to a person if—
- (a) he claims after the sale of property under regulations made by virtue of paragraph 10(3)(b), 12 or 13(1)(b) to be or to have been its owner,
 - (b) the claim is made within a prescribed time of the sale, and
 - (c) any other prescribed conditions are fulfilled.

Textual Amendments

F34 [Sch. 1A](#) inserted (1.2.2001) by [2000 c. 38, s. 262\(2\)](#), [Sch. 30](#); [S.I. 2001/57, art. 3](#), [Sch. 2 Pt. I](#) as amended by [S.I 2001/115, art. 2](#)

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F35 Disputes

Textual Amendments

F35 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F36}16 (1) Regulations may make provision about the proceedings to be followed where a dispute occurs as a result of regulations made by virtue of paragraph 13 or 15.
- (2) Provision made by virtue of sub-paragraph (1) may in particular provide—
- (a) for an application to be made to a magistrates' court or (in the case of an application made in Scotland) the sheriff;
 - (b) for a court or the sheriff to order a sum to be paid by the Secretary of State.
- (3) Any application made to the sheriff in accordance with regulations made by virtue of sub-paragraph (2)(a) shall be made by way of summary application.

Textual Amendments

F36 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

F37 Obstruction of authorised person

Textual Amendments

F37 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F38}17 Regulations may provide that a person who intentionally obstructs an authorised person in the exercise of his powers under regulations made by virtue of paragraph 2 or 6 is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Textual Amendments

F38 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

F39 Offences as to securing possession of property

Textual Amendments

F39 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

- ^{F40}18 (1) Regulations may provide that where—
- (a) a person makes a declaration with a view to securing the return of a goods vehicle under regulations made by virtue of paragraph 10,
 - (b) the declaration is that the vehicle was not being, or had not been, used in contravention of section 2, and

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- (c) the declaration is to the person’s knowledge either false or in any material respect misleading,
he is guilty of an offence.
- (2) Regulations may provide that a person guilty of such an offence is liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum, and
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.]

Textual Amendments

F40 Sch. 1A inserted (1.2.2001) by 2000 c. 38, s. 262(2), Sch. 30; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I

SCHEDULE 2

Sections 8, 9 and 26.

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

Information to be given under section 8

- 1 The information referred to in section 8(4) is the following—
- (a) such particulars as the traffic commissioner [^{F41}dealing with the application] may require with respect to the purposes for which the vehicles referred to in the statement under section 8(3) are proposed to be used;
 - (b) particulars of the arrangements for securing that—
 - (i) Part VI of the ^{M4}Transport Act 1968 (drivers’ hours), and
 - (ii) the applicable Community rules, within the meaning of that Part, will be complied with in the case of those vehicles;
 - (c) particulars of the arrangements for securing that those vehicles will not be overloaded;
 - (d) particulars of the facilities and arrangements for securing that those vehicles will be maintained in a fit and serviceable condition;
 - (e) particulars of any relevant activities carried on, at any time before the making of the application, by any relevant person;
 - (f) particulars of any notifiable convictions which have occurred during the five years preceding the making of the application;
 - [^{F42}(fa) particulars of any notifiable fixed penalty notices which have been issued during those five years;]
 - (g) particulars of the financial resources which are or are likely to be available to the applicant;
 - (h) where the applicant is a company, the names of the directors and officers of—
 - (i) the company, and
 - (ii) any company of which that company is a subsidiary;
 - (i) where the vehicles referred to in the statement under section 8(3) are proposed to be operated by the applicant in partnership with other persons, the names of those other persons.

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“ Relevant person ”

Textual Amendments

- F41** Words in Sch. 2 para. 1(a) inserted (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)
- F42** Sch. 2 para. 1(fa) inserted (31.3.2009) by Road Safety Act 2006 (c. 49), ss. 6(6), 61(1), (10) (with s. 61(3)); S.I. 2008/3164, art. 3(c)

Marginal Citations

- M4** 1968 c. 73.

- 2 In this Schedule “relevant person” means any of the following persons, namely—
- (a) the applicant;
 - (b) any company of which the applicant is or has been a director;
 - (c) where the applicant is a company, any person who is a director of the company;
 - (d) where the applicant proposes to operate the vehicles referred to in the statement under section 8(3) in partnership with other persons, any of those other persons;
 - (e) any company of which any such person as is mentioned in subparagraph (c) or (d) is or has been a director; or
 - (f) where the applicant is a company, any company of which the applicant is a subsidiary.

“ Relevant activities ”

- 3 In paragraph 1(e) “relevant activities” means any of the following—
- (a) activities in carrying on any trade or business in the course of which vehicles of any description are operated;
 - (b) activities as a person employed for the purposes of any such trade or business; or
 - (c) activities as a director of a company carrying on any such trade or business.

“ Notifiable convictions ”

- 4 The following are “notifiable convictions”, namely—
- (a) any conviction of a relevant person of an offence such as is mentioned in paragraph 5, and
 - (b) any conviction of a servant or agent of a relevant person of an offence such as is mentioned in sub-paragraph (a), (b), (d), (f), (g), (i) or (j) of that paragraph.

Offences

- 5 The offences are—
- (a) an offence under section 53 of the ^{M5}Road Traffic Act 1988 (plating certificates and goods vehicle test certificates);

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- (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 ^{M6}Transport Act 1968 or section 233 or 235 of the ^{M7}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 ^{M8}Goods Vehicles (Operators’ Licences, Qualifications and Fees) Regulations 1984; or
 - (iv) any regulation made under this Act or the ^{M9}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 ^{M10}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 ^{M11}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 [^{F43}section 8 of the Haulage Permits and Trailer Registration Act 2018 (offences relating to international road transport permits)] ;
- (h) an offence under section 74 of the ^{M12}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 ^{M13}Control of Pollution Act 1974;
 - (ii) section 2 of the ^{M14}Refuse Disposal (Amenity) Act 1978;
 - (iii) section 1 of the ^{M15}Control of Pollution (Amendment) Act 1989; or
 - (iv) section 33 of the ^{M16}Environmental Protection Act 1990;
- [^{F44}(ia) an offence under [^{F45}regulation 38(1)(a) or 38(1)(b) of the Environmental Permitting (England and Wales) Regulations 2007][^{F45}regulation 38(1) or (2) of [^{F46}the Environmental Permitting (England and Wales) Regulations 2010][^{F46}the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154)]] 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

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section 1, 6, 9 or 12 of the ^{M17}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

- F43** Words in Sch. 2 para. 5(g) substituted (19.7.2018) by [Haulage Permits and Trailer Registration Act 2018](#) (c. 19), **ss. 11(7)**, 27(1)
- F44** 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)
- F45** 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)
- F46** Words in Sch. 2 para. 5(ia) substituted (E.W.) (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016](#) (S.I. 2016/1154), reg. 1(1), **Sch. 29 para. 12** (with regs. 1(3), 77-79, Sch. 4)

Marginal Citations

- M5** 1988 c. 52.
- M6** 1968 c. 73.
- M7** 1960 c. 16.
- M8** S.I. 1984/176.
- M9** 1968 c. 73.
- M10** 1979 c. 5.
- M11** 1988 c. 52.
- M12** 1988 c. 52.
- M13** 1974 c. 40.
- M14** 1978 c. 3.
- M15** 1989 c. 14.
- M16** 1990 c. 43.
- M17** 1984 c. 27.

Repealed enactments

- 6 (1) In paragraph 5 any reference to an offence under a provision of the ^{M18}Road Traffic Act 1988 includes a reference to an offence under any corresponding provision of the ^{M19}Road Traffic Act 1972 repealed by the ^{M20}Road Traffic (Consequential Provisions) Act 1988.
- (2) In paragraph 5(j)—
- (a) the reference to a provision contained in an order made under section 1, 6, 9 or 12 of the Road Traffic Regulation Act 1984 includes a reference to a provision contained in an order made under any enactment repealed by the 1984 Act and re-enacted by any of those sections, including any such order made by virtue of section 84A(2) of the ^{M21}Road Traffic Regulation Act 1967; and
- (b) the reference to a provision contained in a traffic regulation order by virtue of section 2(4) of the 1984 Act includes a reference to a provision included in such an order by virtue of section 1(3AA) of the 1967 Act.

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Marginal Citations

- M18** 1988 c. 52.
M19 1972 c. 20.
M20 1988 c. 54.
M21 1967 c. 76.

Notifiable fixed penalty notices

- [^{F47} In paragraph 1(fa) “notifiable fixed penalty notice” means any fixed penalty notice or conditional offer under Part 3 of the Road Traffic Offenders Act 1988—
- (a) issued to a relevant person in respect of an offence such as is mentioned in paragraph 5, or
 - (b) issued to a servant or agent of a relevant person in respect of an offence within paragraph 4(b).]

Textual Amendments

- F47** Sch. 2 para. 7 inserted (31.3.2009) by [Road Safety Act 2006 \(c. 49\)](#), ss. **6(7)**, 61(1), (10) (with s. 61(3)); S.I. 2008/3164, art. 3(c)

SCHEDULE 3

Sections [^{F48}13A] and 27.

QUALIFICATIONS FOR STANDARD LICENCE

Textual Amendments

- F48** Words in Sch. 3 substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(8)** (with Sch. 3 Pt. 2)

Modifications etc. (not altering text)

- C1** Sch. 3 modified by S.I. 1995/2869, reg. 29(12) (as amended (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **6(e)**)

Good repute

- 1 (1) In determining whether an individual is of good repute, a traffic commissioner may have regard to any matter but shall, in particular, have regard to—
 - (a) any relevant convictions of the individual or of his servants or agents; and
 - (b) any other information in his possession which appears to him to relate to the individual’s fitness to hold a licence.
- (2) In determining whether a company is of good repute, a traffic commissioner shall have regard to all the material evidence including, in particular—
 - (a) any relevant convictions of the company or of any of its officers, servants or agents; and
 - (b) any other information in his possession as to the previous conduct of—

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(i) any of the company’s officers, servants or agents, or
(ii) any of its directors, in whatever capacity,
if that conduct appears to him to relate to the company’s fitness to hold a licence.

- (3) For the purposes of this paragraph, the relevant convictions of any person are—
- (a) any conviction of that person of an offence such as is mentioned in paragraph 5 of Schedule 2;
 - (b) any conviction of that person of an offence under the law of Northern Ireland or of the law of any country or territory outside the United Kingdom corresponding to an offence such as is mentioned in that paragraph;
 - (c) any conviction of that person of a serious offence within the meaning given in paragraph 3; and
 - (d) any conviction of that person of a road transport offence within the meaning given in paragraph 4.

[^{F492} Without prejudice to the generality of a traffic commissioner’s power under paragraph 1 to determine that a person is not of good repute, a commissioner shall determine that an individual is not of good repute if that individual has—

- (a) more than one conviction of a serious offence; or
- (b) been convicted of road transport offences.]

Textual Amendments

F49 Sch 3, para. 2 substituted (1.10.1999) by S.I. 1999/2430, reg. 2(1)

- 3 (1) A person has a conviction of a “serious offence” if—
- (a) he has been convicted of any offence under the law of any part of the United Kingdom or under the law of a country or territory outside the United Kingdom, and
 - (b) on such conviction there was imposed on him for that offence a punishment falling within sub-paragraph (2).
- (2) The punishments are—
- (a) a sentence of imprisonment for a term exceeding three months;
 - (b) a fine exceeding level 4 on the standard scale;
 - (c) a [^{F50}community order] requiring him to perform work for more than 60 hours [^{F51}or a community payback order requiring him to undertake unpaid work, or unpaid work and other activity, for more than 60 hours]; and
 - (d) in the case of an offence committed under the law of a country or territory outside the United Kingdom, any punishment corresponding to those mentioned in paragraphs (a) to (c).
- (3) In sub-paragraph (2)—
- (a) the reference to a sentence of imprisonment includes a reference to any form of custodial sentence or order, other than one imposed under the enactments relating to mental health; ^{F52}...
 - [^{F53}(b) “community order” means a community order under section 177 of the Criminal Justice Act 2003 [^{F54}or Chapter 2 of Part 9 of the Sentencing Code], a community punishment order made under section 46 of the Powers of

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- Criminal Courts (Sentencing) Act 2000 or a community service order under the Community Service by Offenders (Scotland) Act 1978]^{F55}; and
- (c) “community payback order” means a community payback order under section 227A or 227M of the Criminal Procedure (Scotland) Act 1995 imposing an unpaid work or other activity requirement.]

Textual Amendments

- F50** Words in Sch. 3 para. 3(2)(c) substituted (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 32 para. 68\(3\)](#); [S.I. 2005/950, art. 2\(1\), Sch. 1 para. 42\(28\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2](#); [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10, Sch. 14 para. 17](#); [S.I. 2012/2906](#), art. 2(l))
- F51** Words in Sch. 3 para. 3(2)(c) inserted (16.9.2011) by [The Criminal Justice and Licensing \(Scotland\) Act 2010 \(Consequential Provisions and Modifications\) Order 2011 \(S.I. 2011/2298\)](#), art. 1, [Sch. para. 12\(2\)](#) (with art. 4(4))
- F52** Word in Sch. 3 para. 3(3) repealed (16.9.2011) by [The Criminal Justice and Licensing \(Scotland\) Act 2010 \(Consequential Provisions and Modifications\) Order 2011 \(S.I. 2011/2298\)](#), art. 1, [Sch. para. 12\(3\)\(a\)](#) (with art. 4(4))
- F53** Sch. 3 para. 3(3)(b) substituted (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 32 para. 68\(4\)](#); [S.I. 2005/950, art. 2\(1\), Sch. 1 para. 42\(28\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2](#); [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10, Sch. 14 para. 17](#); [S.I. 2012/2906](#), art. 2(l))
- F54** Words in Sch. 3 para. 3(3)(b) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 24 para. 131](#) (with [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)
- F55** Sch. 3 para. 3(3)(c) and word inserted (16.9.2011) by [The Criminal Justice and Licensing \(Scotland\) Act 2010 \(Consequential Provisions and Modifications\) Order 2011 \(S.I. 2011/2298\)](#), art. 1, [Sch. para. 12\(3\)\(b\)](#) (with art. 4(4))

- [^{F56}4 “Road transport offence” means—
- (a) an offence under the law of any part of the United Kingdom relating to road transport including, in particular—
- (i) an offence relating to drivers’ hours of work or rest periods, the weights or dimensions of commercial vehicles, road or vehicle safety or the protection of the environment; and
- (ii) any other offence concerning professional liability; or
- (b) any corresponding offence under the law of a country or territory outside the United Kingdom.]

Textual Amendments

- F56** Sch. 3 para. 4 substituted (1.10.1999) by [S.I. 1999/2430, reg. 2\(2\)](#)

- 5 [^{F57}(1) In paragraph 1(3)(a) the reference to an offence mentioned in paragraph 5 of Schedule 2 includes an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales (within the meaning given by that section) is an offence mentioned in that paragraph.
- (1A) In paragraphs 3 and 4, references to an offence under the law of any part of the United Kingdom include an offence under section 42 of that Act.

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(1B) In paragraph 3(2)(c) the reference to a community order includes a service community order or overseas community order under that Act.]

(2) For the purposes of paragraphs 1 to 4—

- (a) convictions which are spent for the purposes of the ^{M22}Rehabilitation of Offenders Act 1974 shall be disregarded; and
- (b) a traffic commissioner may also disregard an offence if such time as he thinks appropriate has elapsed since the date of the conviction.

Textual Amendments

F57 Sch. 3 para. 5(1)-(1B) substituted for Sch. 3 para. 5(1) (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\)](#), [Sch. 16 para. 131](#); [S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167, art. 4](#)

Modifications etc. (not altering text)

- C2** Sch. 3 para. 5(1) modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\), art. 1\(3\)](#), [Sch. 1 para. 34\(a\)](#)
- C3** Sch. 3 para. 5(1A) modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\), art. 1\(3\)](#), [Sch. 1 para. 34\(b\)](#)

Marginal Citations

M22 1974 c. 53.

Appropriate financial standing

^{F58}6

Textual Amendments

F58 Sch. 3 para. 6 omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\), reg. 1\(1\)](#), [Sch. 2 para. 20\(2\)](#) (with Sch. 3 Pt. 2)

Professional competence

7 In this Schedule references to “the requirement of professional competence” are references to any requirement imposed by a provision of this Act that a person be (or continue to be) professionally competent.

8 (1) The requirement of professional competence falls to be satisfied by an individual.

(2) Accordingly, where a company is required to satisfy that requirement, it does so if and so long as—

- (a) it has in respect of its road transport undertaking a transport manager or managers, and such number of them as the traffic commissioner concerned may require; and
- (b) that transport manager, or (as the case may be) each such manager, is—
 - (i) of good repute, and

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(ii) professionally competent.

9 Where an individual is not himself professionally competent, he shall be regarded as satisfying the requirement of professional competence if and so long as he has as the transport manager of the transport undertaking which he carries on an individual who is—

- (a) of good repute, and
- (b) professionally competent.

^{F59}10

Textual Amendments
F59 Sch. 3 para. 10 omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(3)** (with Sch. 3 Pt. 2)

^{F60}11

Textual Amendments
F60 Sch. 3 para. 11 omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(3)** (with Sch. 3 Pt. 2)

12 Paragraphs 1 to 5 shall have effect for the purposes of any provision of [^{F61}paragraphs 8 and 9] by virtue of which it falls to be determined whether or not a transport manager is of good repute as they have effect for the purpose of determining for the purposes of any other provision of this Act whether or not any other individual is of good repute, but disregarding the reference in paragraph 1(1) (a) to the servants or agents of an individual.

Textual Amendments
F61 Words in Sch. 3 para. 12 substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(4)** (with Sch. 3 Pt. 2)

13 (1) An individual shall be regarded as professionally competent if, and only if—
 (a) he has demonstrated that he possesses the requisite skills by passing a written examination organised by an approved body and is the holder of a certificate to that effect issued by that body; or
 (b) he is the holder of any other certificate of competence, diploma or other qualification recognised for the purposes of this sub-paragraph by the Secretary of State.

[^{F62}(1A) The approved body may exempt an individual from certain parts of the examination mentioned in sub-paragraph (1)(a) if the individual is the holder of a certificate of competence, diploma or other qualification which covers those parts and which is recognised for the purposes of this sub-paragraph by the Secretary of State.]

[^{F63}(2) The written examination mentioned in sub-paragraph (1)(a) may be supplemented by an oral examination organised by the approved body in the form set out in Annex I to [^{F64}the 2009 Regulation].

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(2A) The certificate mentioned in sub-paragraph (1)(a) must take the form of the certificate set out in [^{F65}Annex 3 to that Regulation and must have security features in compliance with Annex 2 to that Regulation].]

(3) In sub-paragraph (1)—

“approved body” means—

- (a) a body approved by the Secretary of State for the purposes of that sub-paragraph;
- (b) a body approved by the Department of the Environment for Northern Ireland for the purposes of section 46A(5)(c) of the ^{M23}Transport Act (Northern Ireland) 1967; or
- (c) a body or authority designated for the purposes of [^{F66}Article 8.3 of the 2009 Regulation] by a member State other than the United Kingdom; and

[^{F67}“the requisite skills” means knowledge corresponding to the level of training, for either national or international transport operations as the case may be, provided for in Annex I to [^{F68}that Regulation] in the subjects there listed.]

Textual Amendments

- F62** Sch. 3 para. 13(1A) inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 20\(5\)\(a\)](#) (with Sch. 3 Pt. 2)
- F63** Sch. 3 para. 13(2)(2A) substituted (1.10.1999) for para. 13(2) by [S.I. 1999/2430](#), [reg. 4\(1\)](#) (with saving in [reg. 5\(3\)\(4\)](#))
- F64** Words in Sch. 3 para. 13(2) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 20\(5\)\(b\)](#) (with Sch. 3 Pt. 2)
- F65** Words in Sch. 3 para. 13(2A) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 20\(5\)\(c\)](#) (with Sch. 3 Pt. 2)
- F66** Words in Sch. 3 para. 13(3) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 20\(5\)\(d\)\(i\)](#) (with Sch. 3 Pt. 2)
- F67** Definition in Sch. 3 para. 13(3) substituted (1.10.1999) by [S.I. 1999/2430](#), [reg. 4\(2\)\(b\)](#)(with savings in [reg. 5\(3\)\(4\)](#))
- F68** Words in Sch. 3 para. 13(3) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 20\(5\)\(d\)\(ii\)](#) (with Sch. 3 Pt. 2)

Modifications etc. (not altering text)

- C4** Sch. 3 para. 13 modified (1.10.1999) by [S.I. 1999/2430](#), [reg. 5\(4\)](#)

Marginal Citations

- M23** 1967 c. 37 (N.I.).

^{F69}14

Textual Amendments

- F69** Sch.3 para. 14 repealed and superseded (1.10.1999) by [S.I. 1999/2430](#), [reg. 5\(5\)](#)

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Transport manager to be notified of proceedings

- 15 (1) A traffic commissioner shall not in any proceedings under this Act [^{F70}or under the 2009 Regulation] make a finding that a transport manager is not of good repute or is not professionally competent unless the commissioner is satisfied that the transport manager has been served with a notice—
- (a) stating that the question whether he is of good repute or (as the case may be) professionally competent is an issue in the proceedings;
 - (b) setting out the nature of the allegations against him; ^{F71}...
 - (c) stating that he is entitled to make representations under this paragraph within 28 days beginning with the date on which the notice is served on him [^{F72}and
 - (d) stating that he is entitled to request an inquiry as provided in section 35]
- (2) Where a transport manager makes representations under this paragraph, the traffic commissioner shall consider the representations—
- (a) in considering [^{F73}whether or not an inquiry should be held] as provided in section 35; and
 - (b) in determining whether the transport manager is of good repute or (as the case may be) professionally competent.
- [^{F74}(2A) [^{F75}A traffic commissioner] must hold an inquiry as provided in section 35 if the transport manager requests one under sub-paragraph (1)(d)]
- (3) A notice shall be deemed for the purposes of sub-paragraph (1) to have been served on a transport manager on the date on which it would have been delivered in the ordinary course of post if it was sent by post addressed to him at his last known address, notwithstanding that the notice was returned as undelivered or was for any other reason not received by him.

Textual Amendments

- F70** Words in Sch. 3 para. 15(1) inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(6)(a)(i)** (with Sch. 3 Pt. 2)
- F71** Word in Sch. 3 para. 15(1)(b) omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(6)(a)(ii)** (with Sch. 3 Pt. 2)
- F72** Sch. 3 para. 15(1)(d) and word inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(6)(a)(iii)** (with Sch. 3 Pt. 2)
- F73** Words in Sch. 3 para. 15(2)(a) 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)
- F74** Sch. 3 para. 15(2A) inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(6)(b)** (with Sch. 3 Pt. 2)
- F75** Words in Sch. 3 para. 15(2A) 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)

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[^{F76}Determinations in respect of transport managers

Textual Amendments

F76 Sch. 3 para 16-17 and cross-headings inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 20(7)** (with Sch. 3 Pt. 2)

16. (1) In proceedings under this Act or the 2009 Regulation for determining whether a person who is a transport manager is of good repute or professionally competent, a traffic commissioner must consider whether a finding that the person was no longer of good repute or (as the case may be) professionally competent would constitute a disproportionate response.
- (2) If the commissioner determines that the person is no longer of good repute or (as the case may be) professionally competent, the commissioner must order the person to be disqualified (either indefinitely or for such period as the commissioner thinks fit) from acting as a transport manager.
- (3) While a disqualification under sub-paragraph (2) is in force—
- (a) the person may not act as transport manager for any road transport undertaking;
 - (b) a certificate issued to the person under Article 8.8 of the 2009 Regulation (certificate of professional competence) is not valid.
- (4) A person in respect of whom an order has been made under sub-paragraph (2) may appeal to the Upper Tribunal against the order.
- (5) The traffic commissioner may direct that an order under sub-paragraph (2) is not to take effect until the expiry of the time within which an appeal may be made to the Upper Tribunal against the order and, if such an appeal is made, until the appeal has been disposed of.
- (6) If the traffic commissioner refuses to give a direction under sub-paragraph (5), the person in respect of whom the order has been made may apply to the Upper Tribunal for such a direction.

Transport managers: cancellation or variation of disqualification order

17. (1) [^{F77}A traffic commissioner may, subject to sub-paragraph (2), at any time cancel a disqualification order made under paragraph 16(2)] or, with the consent of the disqualified person, vary the order.
- (2) The traffic commissioner by whom a disqualification order is made under paragraph 16(2) may specify measures with which the disqualified person must comply before the order can be cancelled or varied.
- (3) Measures specified under sub-paragraph (2) may be varied by the traffic commissioner [^{F78}who made the order or another traffic commissioner] —
- (a) on the application of the disqualified person, or
 - [^{F79}(b) at the instigation of the traffic commissioner.]
- (4) Before [^{F80}a variation is made under sub-paragraph (3)(b), a notice must be served] on the disqualified person—

Status: Point in time view as at 01/12/2020.

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- (a) stating [^{F81}an intention] to vary the measures specified under sub-paragraph (2);
 - (b) stating that the person is entitled to make representations under sub-paragraph (5) within 28 days beginning with the date on which the notice is served on the person, and
 - (c) stating that the person is entitled to request an inquiry as provided in section 35.
- (5) Where a person makes representations under this sub-paragraph, the traffic commissioner [^{F82}dealing with the matter] must consider the representations in deciding whether to vary the measures specified under sub-paragraph (2).
- (6) The traffic commissioner must hold an inquiry as provided in section 35 if the disqualified person requests one under sub-paragraph (4)(c).
- (7) A notice shall be deemed for the purposes of sub-paragraph (4) to have been served on a person on the date on which it would have been delivered in the ordinary course of post if it was sent by post addressed to the person at the person's last known address, notwithstanding that the notice was returned as undelivered or was for any other reason not received by the person.]

Textual Amendments

- F77** Words in Sch. 3 para. 17(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)
- F78** Words in Sch. 3 para. 17(3) inserted (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)
- F79** Sch. 3 para. 17(3)(b) 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)
- F80** Words in Sch. 3 para. 17(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)
- F81** Words in Sch. 3 para. 17(4)(a) 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)
- F82** Words in Sch. 3 para. 17(5) inserted (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)

SCHEDULE 4

Section 33.

TRANSFER OF OPERATING CENTRES

Modifications etc. (not altering text)

- C5** Sch. 4 excluded by 2006 c. 12, s. 16E(4) (as inserted (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 9, 10(1)**)

Status: Point in time view as at 01/12/2020.

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Transfers in connection with new licences

- 1 (1) Where in the case of any application for an operator’s licence—
 - (a) the requirements of sub-paragraphs (2) to (5) are satisfied at the time when the application is made, and
 - (b) the applicant so requests,the traffic commissioner may direct that paragraph 2 is to apply in relation to the application.
 - (2) Each place referred to in the statement under section 8(3) as a proposed operating centre of the applicant must already be specified in an operator’s licence as an operating centre of its holder.
 - (3) That licence must be the same in the case of each such place, and no such place may be specified in more than the one operator’s licence.
 - (4) Where any conditions under section 21 or 23 relating to any such place are attached to that licence, the applicant must have consented to conditions in the same terms being attached to the licence he is applying for.
 - (5) Where any undertakings relating to any such place are recorded in that licence, undertakings in the same terms must have been given by the applicant (or have been procured by him to be given) for the purposes of the application.
 - (6) In determining whether to give a direction under this paragraph, the traffic commissioner shall take account of whether any new adverse effects on environmental conditions are likely to arise from the use as an operating centre of the applicant of any such place, and may take account of any other matters he considers relevant.
 - (7) A place is not to be regarded for the purposes of sub-paragraph (2) as being specified in an operator’s licence by reason only that it forms part of a place so specified; and a place that was, at the time mentioned in sub-paragraph (1)(a), a place specified in an operator’s licence as mentioned in sub-paragraph (2) shall be disregarded for the purposes of sub-paragraph (2) if, at that time—
 - (a) that place was so specified by virtue of an interim direction such as is mentioned in section 25; or
 - (b) such conditions relating to—
 - (i) the exercise of the right of any person to appeal against a place being specified in an operator’s licence, or
 - (ii) the review under section 36 of any decision so to specify a place, as may be prescribed were not satisfied in relation to that place.
 - (8) In this paragraph “operator’s licence” does not include an interim licence issued under section 24.
- 2 (1) The provisions of this paragraph have effect in relation to any application for an operator’s licence in respect of which a direction has been given under paragraph 1.
 - (2) The notice published under section 10(1) shall state that the direction has been given.
 - (3) The following provisions of this Act shall not apply—
 - section 11;
 - section 12(1)(b) and (4);

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[^{F83}section 13C(5)] so far as relating to the suitability of any place specified in the licence for use as an operating centre of the licence-holder;
section 14; and
section 15(3)(f).

- (4) Notwithstanding anything in [^{F84}section 13(6)] the traffic commissioner may refuse the application if—
- (a) any statement of fact made by the applicant (or procured by him to be made) for the purposes of the request for the direction under paragraph 1 was false, whether to his knowledge or not; or
 - (b) any undertaking given or statement of expectation made by the applicant (or procured by him to be given or made) for those purposes has not been fulfilled.
- (5) If the application is granted, the traffic commissioner—
- (a) shall attach to the licence issued to the applicant any conditions in respect of which the applicant has consented under paragraph 1(4); and
 - (b) shall not attach any other conditions to the licence under section 21 or 23.
- (6) If the application is granted, the traffic commissioner shall record in the licence—
- (a) any undertakings given or procured to be given under paragraph 1(5); and
 - (b) any other undertakings given by the applicant (or procured by him to be given), whether for the purposes of the application or for the purposes of the request for the direction under paragraph 1, that the traffic commissioner considers to be material to his decision to give the direction (and that would not otherwise be required by section 15(4) to be recorded in the licence).

Textual Amendments

- F83** Words in Sch. 4 para. 2(3) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 21\(a\)](#) (with [Sch. 3 Pt. 2](#))
- F84** Words in Sch. 4 para. 2(4) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 2 para. 21\(b\)](#) (with [Sch. 3 Pt. 2](#))

Transfers in connection with the variation of licences

- 3 (1) Where in the case of an application for the variation of an operator's licence under section 17—
- (a) the only direction applied for is one under subsection (1)(g) of that section that one or more new places be specified in the licence as an operating centre of the licence-holder,
 - (b) the requirements of sub-paragraphs (2) to (5) are satisfied at the time when the application is made, and
 - (c) the applicant so requests,
- the traffic commissioner may direct that paragraph 4 is to apply in relation to the application.
- (2) Each new place that is proposed to be specified in the licence must already be specified in another operator's licence as an operating centre of its holder.

Status: Point in time view as at 01/12/2020.

Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995 is up to date with all changes known to be in force on or before 07 July 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)

- (3) That other licence must be the same in the case of each such place, and no such place may be specified in more than the one other operator’s licence.
 - (4) Where any conditions under section 21 or 23 relating to any such place are attached to that other licence, the applicant must have consented to conditions in the same terms being attached to the licence he is applying to have varied.
 - (5) Where any undertakings relating to any such place are recorded in that other licence, undertakings in the same terms must have been given by the applicant (or have been procured by him to be given) for the purposes of the application.
 - (6) In determining whether to give a direction under this paragraph, the traffic commissioner shall take account of whether any new adverse effects on environmental conditions are likely to arise from the use as an operating centre of the applicant of any such place, and may take account of any other matters he considers relevant.
 - (7) A place is not to be regarded for the purposes of sub-paragraph (2) as being specified in an operator’s licence by reason only that it forms part of a place so specified; and a place that was, at the time mentioned in sub-paragraph (1)(b), a place specified in an operator’s licence as mentioned in sub-paragraph (2) shall be disregarded for the purposes of sub-paragraph (2) if, at that time—
 - (a) that place was so specified by virtue of an interim direction such as is mentioned in section 25; or
 - (b) such conditions relating to—
 - (i) the exercise of the right of any person to appeal against a place being specified in an operator’s licence, or
 - (ii) the review under section 36 of any decision so to specify a place, as may be prescribed were not satisfied in relation to that place.
 - (8) In this paragraph “operator’s licence” does not include an interim licence issued under section 24.
- 4 (1) The provisions of this paragraph have effect in relation to any application for the variation of an operator’s licence in respect of which a direction has been given under paragraph 3.
- (2) Sections 17(3) and 18 shall not apply.
 - (3) If the application is granted, the traffic commissioner—
 - (a) shall attach to the licence as varied any conditions in respect of which the applicant has consented under paragraph 3(4); and
 - (b) shall not attach any other conditions to the licence under section 21 or 23.
 - (4) If the application is granted, the traffic commissioner shall record in the licence as varied—
 - (a) any undertakings given or procured to be given under paragraph 3(5); and
 - (b) any other undertakings given by the applicant (or procured by him to be given), whether for the purposes of the application or for the purposes of the request for the direction under paragraph 3, that the traffic commissioner considers to be material to his decision to give the direction.
- [^{F85}5. In this Schedule “the traffic commissioner”, in the case of any application, means the traffic commissioner dealing with the application.]

Status: Point in time view as at 01/12/2020.

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Textual Amendments

F85 Sch. 4 para. 5 added (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)

PROSPECTIVE

SCHEDULE 5

Section 50.

LARGE GOODS VEHICLES

Meaning of “large goods vehicle”

- 1 (1) For the purposes of this Schedule, a large goods vehicle is a goods vehicle, other than a hauling vehicle, falling within any of sub-paragraphs (2) to (4).
- (2) A goods vehicle falls within this sub-paragraph if—
- (a) it has a relevant plated weight exceeding 16260 kilograms, or
 - (b) in the case of a vehicle which does not have a relevant plated weight, it has an unladen weight exceeding 5080 kilograms.
- (3) A goods vehicle falls within this sub-paragraph if it forms part of a vehicle combination, other than an articulated combination, and the combination is such that—
- (a) in a case where all the vehicles comprised in the combination, or all of those vehicles except any small trailer, have relevant plated weights, the aggregate of the relevant plated weights of the vehicles comprised in the combination, exclusive of any such trailer, exceeds 16260 kilograms, or
 - (b) in any other case, the aggregate of the unladen weights of the vehicles comprised in it, exclusive of any small trailer, exceeds 5080 kilograms;
- and in this sub-paragraph “small trailer” means a trailer having an unladen weight not exceeding 1020 kilograms.
- (4) A goods vehicle falls within this sub-paragraph if it forms part of an articulated combination which is such that—
- (a) in a case where the trailer comprised in the combination has a relevant plated weight, the aggregate of—
 - (i) the unladen weight of the motor vehicle comprised in the combination, and
 - (ii) the relevant plated weight of that trailer,
 exceeds 16260 kilograms, or
 - (b) in any other case, the aggregate of the unladen weights of the motor vehicle and the trailer comprised in the combination exceeds 5080 kilograms.
- (5) In any provision of sub-paragraphs (2) to (4) “relevant plated weight” means a plated weight of the description specified in relation to that provision by regulations.

Status: Point in time view as at 01/12/2020.

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- (6) In sub-paragraph (1) “hauling vehicle” means a motor tractor, a light locomotive, a heavy locomotive or the motor vehicle comprised in an articulated combination; and in this sub-paragraph “motor tractor”, “light locomotive” and “heavy locomotive” have the same meaning as in the ^{M24}Road Traffic Act 1960.

Marginal Citations

M24 1960 c. 16.

Consignment notes

- 2 (1) Subject to sub-paragraph (2), no goods shall be carried on a large goods vehicle unless a document (a “consignment note”) in the prescribed form and containing the prescribed particulars has been completed and signed in the prescribed manner and is carried by the driver of the vehicle.
- (2) Sub-paragraph (1) shall not apply—
- (a) to the carriage of goods on any journey or on a vehicle of any class exempted from that sub-paragraph by regulations; or
 - (b) to any carriage of goods which is lawful without the authority of an operator’s licence.
- (3) Subject to the provisions of regulations, a traffic commissioner may dispense with the observance, as respects the carriage of goods under an operator’s licence ^{F86}..., of any requirement of sub-paragraph (1), where he is satisfied that it is not reasonably practicable for that requirement to be observed.
- (4) Such a dispensation may be granted—
- (a) generally;
 - (b) as respects a particular vehicle; or
 - (c) as respects the use of vehicles for a particular purpose.
- (5) The consignment note relating to the goods carried on a vehicle on any journey shall, at the conclusion of that journey, be preserved for the prescribed period by the person who used the vehicle for carrying the goods on that journey.
- (6) Any person who—
- (a) uses or drives a vehicle in contravention of sub-paragraph (1), or
 - (b) fails to comply with sub-paragraph (5),
- is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Textual Amendments

F86 Words in [Sch. 5 para. 2\(3\)](#) omitted (3.7.2013) by virtue of [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)

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Powers of entry and inspection

- 3 (1) An officer may require any person to produce and permit him to inspect and copy—
- (a) any document which is required by or under paragraph 2 to be carried by that person as driver of a vehicle; or
 - (b) any document which that person is required by or under that paragraph to preserve;
- and that document shall, if the officer so requires by notice in writing served on that person, be produced [^{F87}to a traffic commissioner at an office] specified in the notice within such time (not being less than 10 days) from the service of the notice as may be so specified.
- (2) An officer may at any time enter any large goods vehicle and inspect that vehicle and any goods carried on it.
- (3) Where an officer has reason to believe—
- (a) that a large goods vehicle is being kept on any premises, or
 - (b) that any such documents as are mentioned in sub-paragraph (1) are to be found on any premises,
- he may, at any time which is reasonable having regard to the circumstances of the case, enter those premises and inspect any such vehicle, and inspect and copy any such document, which he finds there.
- (4) For the purpose of exercising his powers under sub-paragraph (1)(a) or (2), an officer may detain the vehicle in question during such time as is required for the exercise of that power.
- (5) The powers conferred by sub-paragraphs (1) to (4) are exercisable on production by the officer, if so required, of his authority.
- (6) Any person who—
- (a) fails to comply with any requirement under sub-paragraph (1), or
 - (b) obstructs any officer in the exercise of his powers under sub-paragraph (2), (3) or (4),
- is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (7) In this paragraph “officer” has meaning given in section 42(1) (as amended by paragraph 5 below).
- (8) The powers conferred by this paragraph on an officer shall be exercisable also by a police constable who shall not, if wearing uniform, be required to produce any authority.

Textual Amendments

F87 Words in [Sch. 5 para. 3\(1\)](#) 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)

Falsification of consignment notes and records

- 4 (1) Any person who—

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- (a) makes, or causes to be made, any document required to be made under paragraph 2 which he knows to be false, or
 - (b) with intent to deceive, alters or causes to be altered any document required to be made under that paragraph,
- is guilty of an offence.

- (2) A person guilty of an offence under sub-paragraph (1) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

Amendment of sections 38, 41 and 42 of this Act

- 5
- (1) The following amendments shall take effect on the day appointed for the coming into force of paragraph 3, namely, in sections 38(2)(c) and 42(1)(b), after the words “sections 40 and 41” there shall be inserted the words “ and paragraph 3 of Schedule 5 ”.
 - (2) The following amendments shall take effect on the day appointed for the coming into force of paragraph 4, namely, in section 41(1) and (2)(b), after the words “section 38 or 39” there shall be inserted the words “ or paragraph 4(1) of Schedule 5 ”.

SCHEDULE 6

Section 59.

TRANSITIONAL PROVISIONS, TRANSITORY MODIFICATIONS AND SAVINGS

General transitional provisions

- 1 The substitution of this Act for the provisions repealed and revoked by it shall not affect the continuity of the law.

PROSPECTIVE

- 2 In so far as any thing done (including any subordinate legislation made or other instrument issued) under a provision repealed or revoked by this Act could have been done under the corresponding provision of this Act, it shall have effect as if done under that corresponding provision.

- 3 Any reference (express or implied) in this Act or any other enactment, instrument or document to—
- (a) any provision of this Act, or
 - (b) things done or falling to be done under or for the purposes of any provision of this Act,

shall, so far as the nature of the reference permits, be construed as including, in relation to the times, circumstances or purposes in relation to which the corresponding provision repealed or revoked by this Act had effect, a reference to that corresponding provision or (as the case may be) to things done or falling to be done under or for the purposes of that corresponding provision.

Status: Point in time view as at 01/12/2020.

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- 4 Any reference (express or implied) in any enactment, instrument or document to—
- (a) a provision repealed or revoked by this Act, or
 - (b) things done or falling to be done under or for the purposes of such a provision,
- shall, so far as the nature of the reference permits, be construed as including, in relation to the times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, a reference to that corresponding provision or (as the case may be) to things done or falling to be done under or for the purposes of that corresponding provision.
- 5 Paragraphs 1 to 4 have effect, in relation to the substitution of this Act for the provisions repealed and revoked by it, in place of section 17(2) of the ^{M25}Interpretation Act 1978 (but without prejudice to any other provision of that Act).

Marginal Citations

M25 1978 c. 30.

Meaning of “local authority” in relation to Scotland or Wales

^{F88}6

Textual Amendments

F88 Sch. 6 para. 6 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

Meaning of “holding company” and “subsidiary”

- 7 For the purposes of this Act as it applies in relation to licences granted before 11 November 1990 (the date on which section 144(1) of the ^{M26}Companies Act 1989 came into force) the expressions “holding company” and “subsidiary” have the meaning given by section 736 of the ^{M27}Companies Act 1985 as originally enacted.

Marginal Citations

M26 1989 c. 40.

M27 1985 c. 6.

SCHEDULE 7

Section 60(1).

CONSEQUENTIAL AMENDMENTS

The Road Traffic Act 1960 (c. 16)

- 1 In section 232 of the Road Traffic Act 1960 (duty to give information as to identity of driver), for subsection (1)(b) there shall be substituted—

Status: Point in time view as at 01/12/2020.

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“(b) to any offence under section 2 of the Goods Vehicles (Licensing of Operators) Act 1995;”.

F89²

Textual Amendments

F89 Sch. 7 para. 2 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

The Transport Act 1968 (c. 73)

3 In section 51 of the Transport Act 1968 (subsidiaries and joint subsidiaries), in subsection (5), for the words “Parts V and VI” there shall be substituted the words “ Part VI ”.

F90⁴

Textual Amendments

F90 Sch. 7 para. 4 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

Road Traffic (Foreign Vehicles) Act 1972 (c. 27)

5 (1) In section 4 of the Road Traffic (Foreign Vehicles) Act 1972 (duty to produce certain documents), in subsection (1)—

(a) in paragraph (a), for the words “section 91(4) of the Transport Act 1968” there shall be substituted the words “ section 57(6) of the Goods Vehicles (Licensing of Operators) Act 1995 ”; and

(b) in paragraph (b), for the words “section 60(1)” there shall be substituted the words “ section 2(1) ”.

6 In Schedule 2 to that Act (provisions relating to vehicles and their drivers), in the first column—

(a) for the words “Section 60 of the Transport Act 1968” there shall be substituted the words “ Section 2 of the Goods Vehicles (Licensing of Operators) Act 1995 ”; and

(b) for the words “section 91(1)(c) of the Transport Act 1968” there shall be substituted the words “ section 57(2)(d) of the Goods Vehicles (Licensing of Operators) Act 1995 ”.

International Road Haulage Permits Act 1975 (c. 46)

7 In section 1 of the International Road Haulage Permits Act 1975 (duty to carry and produce international road haulage permits), in subsection (8), for the words “Part V of the Transport Act 1968” there shall be substituted the words “ the Goods Vehicles (Licensing of Operators) Act 1995 ”.

Status: Point in time view as at 01/12/2020.

Changes to legislation: *Goods Vehicles (Licensing of Operators) Act 1995 is up to date with all changes known to be in force on or before 07 July 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)*

Transport Act 1982 (c. 49)

- 8 In section 8 of the Transport Act 1982 (private-sector vehicle testing), in subsection (2)(a), after “1968” there shall be inserted the words “ or the Goods Vehicles (Licensing of Operators) Act 1995 ”.

London Regional Transport Act 1984 (c. 32)

- 9 In section 62 of the London Regional Transport Act 1984 (joint subsidiaries), in subsection (3)(a), for the words “Parts V and VI” there shall be substituted the words “ Part VI ”.

Transport Act 1985 (c. 67)

- 10 In Schedule 4 to the Transport Act 1985 (constitution, powers and proceedings of the Transport Tribunal), in paragraph 9(1), the words “Part V of the 1968 Act,” shall be omitted and after the words “the 1981 Act” there shall be inserted the words “ , the Goods Vehicles (Licensing of Operators) Act 1995 ”.

Road Traffic Act 1988 (c. 52)

- 11 In section 66A of the Road Traffic Act 1988 (appointment of examiners), in subsection (1), after the words “this Part of this Act,” there shall be inserted the words “ the Goods Vehicles (Licensing of Operators) Act 1995, ”.

- 12 (1) In section 73 of that Act (provisions supplementary to sections 69 to 72), in subsection (1)—

- (a) for the words “an authorised vehicle” there shall be substituted the words “ , by virtue of section 5 of the Goods Vehicles (Licensing of Operators) Act 1995, authorised to be used under an operator’s licence, ”; and
- (b) in paragraph (a), for the words “the operator’s licence was granted for the vehicle” there shall be substituted the words “ the licence was issued ”.

- (2) In that section, after subsection (1), there shall be inserted—

“(1ZA) Where in a case within subsection (1) above it appears to the person giving the notice that the vehicle is authorised to be used under two or more operators’ licences—

- (a) if those licences were issued by different traffic commissioners, his duty under paragraph (a) of that subsection may be discharged by taking steps to bring the contents of the notice to the attention of any one of those commissioners,
- (b) if those licences are held by different persons and none of those persons is in charge of the vehicle at the time when the notice is given, his duty under paragraph (b) of that subsection may be discharged by taking steps to bring the contents of the notice to the attention of any one of those persons, and
- (c) if those licences are held by different persons and any of those persons is in charge of the vehicle at the time when the notice is given, no steps need be taken under that subsection to bring the contents of the notice to the attention of the others.”.

Status: Point in time view as at 01/12/2020.

Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995 is up to date with all changes known to be in force on or before 07 July 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)

(3) In subsection (4) of that section, for the words from “and section 72” to “Transport Act 1968” there shall be substituted the words “operator’s licence” has the same meaning as in the Goods Vehicles (Licensing of Operators) Act 1995”.

^{F91}13

Textual Amendments

F91 Sch. 7 para. 13 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

^{F92}14

Textual Amendments

F92 Sch. 7 para. 14 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

SCHEDULE 8

Section 60(2).

REPEALS AND REVOCATIONS

PART I

ENACTMENTS REPEALED

Chapter	Short title	Extent of repeal
8 & 9 Eliz. 2 c. 16.	The Road Traffic Act 1960.	Section 233. Section 235. In section 244, the words from “under section 233” to the second occurrence of the words “or an offence”. Section 263. Section 265.
1968 c. 73.	The Transport Act 1968.	Part V. In section 158(1), the words “other than Part V”. Schedule 8A. Schedule 10.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 18, paragraph 18.
1974 c. 50.	The Road Traffic Act 1974.	Section 16. Schedule 4.
1975 c. 46.	The International Road Haulage Permits Act 1975.	Section 3.

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1976 c. 3.	The Road Traffic (Drivers' Ages and Hours of Work) Act 1976.	Section 2(2).
1979 c. 5.	The Hydrocarbon Oil Duties Act 1979.	In Schedule 6, paragraph 2.
1980 c. 34.	The Transport Act 1980.	Section 66(2). In Schedule 4, the entry relating to section 235 of the Road Traffic Act 1960.
1981 c. 14.	The Public Passenger Vehicles Act 1981.	In Schedule 7, paragraph 9.
1981 c. 45.	The Forgery and Counterfeiting Act 1981.	In section 12, the words "section 233(2) of the Road Traffic Act 1960, and".
1982 c. 49.	The Transport Act 1982.	Section 52. Section 76(5). Schedule 4. In Schedule 5, paragraph 6.
1984 c. 27.	The Road Traffic Regulation Act 1984.	In Schedule 13, paragraph 6.
1985 c. 9.	The Companies Consolidation (Consequential Provisions) Act 1985.	In Schedule 2, the entries relating to sections 69(11) and 92(1) of the Transport Act 1968.
1985 c. 65.	The Insolvency Act 1985.	In Schedule 8, paragraph 16.
1985 c. 67.	The Transport Act 1985.	Section 3(4). In Schedule 4, in paragraph 9(1), the words "Part V of the 1968 Act".
1988 c. 52.	The Road Traffic Act 1988.	In section 85, the definition of "licensing authority". In section 86, the entry relating to the expression "licensing authority".
1988 c. 54.	The Road Traffic (Consequential Provisions) Act 1988.	In Schedule 3, paragraphs 2(1) and 6(1), (2) and (4).
1989 c. 40.	The Companies Act 1989.	In Schedule 18, paragraph 7.
1990 c. 11.	The Planning (Consequential Provisions) Act 1990.	In Schedule 2, paragraph 22(1).
1990 c. 43.	The Environmental Protection Act 1990.	In Schedule 15, paragraph 10(2).
1991 c. 40.	The Road Traffic Act 1991.	In Schedule 4, paragraph 1.

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1992 c. 52.	The Trade Union and Labour Relations (Consolidation) Act 1992.	In Schedule 2, paragraph 2.
1994 c. 39.	The Local Government etc. (Scotland) Act 1994.	In Schedule 13, paragraph 80(8).
1994 c. 40.	The Deregulation and Contracting Out Act 1994.	Chapter III of Part I. Schedule 12. Schedule 13.

PART II

SUBORDINATE LEGISLATION REVOKED

Year and number	Title	Extent of Revocation
S.I. 1981/1373.	The Road Traffic Acts 1960 and 1972, Road Traffic Regulation Act 1967, and Transport Act 1968 (Metrication) Regulations 1981.	Regulation 4(1) and in the Schedule, Part IIIA.
S.I. 1984/176.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984.	Regulations 4 to 9. Regulation 23A. Regulation 33(2) and (3). Regulation 34A. Regulation 36. Schedule 6.
S.I. 1984/177.	The Road Traffic Acts 1960 and 1972, Road Traffic Regulation Act 1967, and Transport Act 1968 (Metrication) (Amendment) Regulations 1984.	Both Regulations.
S.I. 1986/666.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1986.	Regulations 3, 8 and 10.
S.I. 1987/841.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1987.	Regulation 5.
S.I. 1990/1849.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1990.	Regulations 2(3), 4, 6 and 7.

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S.I. 1990/2640.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No.2) Regulations 1990.	Regulation 4.
S.I. 1991/2239.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No.2) Regulations 1991.	Regulations 4 and 7.
S.I. 1992/2319.	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1992.	Regulation 4.
S.I. 1992/3077.	The Goods Vehicles (Community Authorisations) Regulations 1992.	Regulation 14.

TABLE OF DERIVATIONS

Notes:

- 1 This Table shows the derivation of the provisions of the Act.
- 2 The following abbreviations are used in the Table:—

ACTS OF PARLIAMENT

1960	= The Road Traffic Act 1960 (c. 16)
1968	= The Transport Act 1968 (c. 73)
1974	= The Transport Act 1974 (c. 50)
1982	= The Transport Act 1982 (c. 49)
1988	= The Road Traffic (Consequential Provisions) Act 1988 (c. 54)
1994	= The Deregulation and Contracting Out Act 1994 (c. 40)

SUBORDINATE LEGISLATION

S.I. 1981/1373	= The Road Traffic Acts 1960 and 1972, Road Traffic Regulation Act 1967, and Transport Act 1968 (Metrication) Regulations 1981.
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S.I. 1984/176	= The Goods Vehicles (Operators' Licences, Qualification and Fees) Regulations 1984
S.I. 1984/177	= The Road Traffic Acts 1960 and 1972, Road Traffic Regulation Act 1967, and Transport Act 1968 (Metrication) (Amendment) Regulations 1984.
S.I. 1986/666	= The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1986.
S.I. 1986/1391	= The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No.2) Regulations 1986.
S.I. 1987/841	= The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1987.
S.I. 1990/1849	= The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1990.
S.I. 1990/2640	= The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No.2) Regulations 1990.
S.I. 1991/2239	= The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No.2) Regulations 1991.
S.I. 1992/3077	= The Goods Vehicles (Community Authorisations) Regulations 1992.

3 The Table does not separately acknowledge the provisions in the Magistrates' Courts Act 1980 (c.43), the Criminal Justice Act 1982 (c.48) and the Criminal Procedure (Scotland) Act 1975 (c.21) by virtue of which the fines which may be imposed on conviction of the offences consolidated were increased and references to the amount of the maximum fines to which persons are liable in respect of the offences were translated into levels on the standard scale.

4 The functions originally vested in the Minister of Transport by the Transport Act 1968 have become vested in the Secretary of State by virtue of the following transfer of functions orders: the Secretary of State for the Environment Order 1970 (S.I. 1970/1681), the Secretary of State for Transport Order 1976 (S.I. 1976/1775), the Minister of Transport Order 1979 (S.I. 1979/571) and the Transfer of Functions (Transport) Order 1981 (S.I. 1981/238). The Table does not separately acknowledge the effect of those Orders.

Provision	Derivation
1(1)	1968 s.59(1); Transport Act 1985 (c.67) s.3(4).
(2)	1968 s.59(2).

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2(1)	1968 s.60(1).
(2)	1968 s.60(2); S.I. 1992/3077 reg.14(2).
(3)	1968 s.60(4A); S.I. 1992/3077 reg.14(3).
(4)	1968 s.60(3).
(5)	1968 s.60(5).
3(1)	S.I. 1984/176 reg.4(1).
(2)	S.I. 1984/176 reg.3(2) “standard licence”.
(3)	S.I. 1984/176 reg.3(2) “restricted licence”.
(4)	S.I. 1984/176 reg.4(2); S.I. 1986/666 reg.3.
(5)	S.I. 1984/176 reg.4(3).
(6)	S.I. 1984/176 reg.33(2).
(7)	S.I. 1984/176 reg.33(3).
4	S.I. 1984/176 reg.34A; S.I. 1990/1849 reg.6.
5(1) to (3)	1968 s.61(1) to (1B); 1994 s.42(1).
(4), (5)	1968 s.61(2).
(6), (7)	1968 s.61(3), (4); 1994 s.42(2).
(8), (9)	1968 s.61(5), (6).
6	1968 s.61A; 1994 s.42(3).
7(1)	1968 s.69A(1); 1982 Sch.4 Pt. I; 1994 Sch.13 para.5(1).
(2)	1968 s.69A(4); 1982 Sch.4 Pt.I.
(3)	1968 s.92(1) “operating centre”; 1982 s.52(1); 1994 Sch.13 para.15(1)(c).
8(1), (2)	1968 s.62(1).
(3)	1968 ss.62(2), 69A(2); 1982 Sch.4 Pt.I.
(4)	1968 s.62(4) (part).
(5)	1968 s.69A(3); 1982 Sch.4 Pt.I; 1994 Sch.13 para.5(2).
(6)	1968 ss.62(5), 69A(3A); 1994 Sch.13 para.5(3).
9(1)	1968 s.62(4A) (part); 1974 Sch.4 para.1.
(2)	1968 s.62(4A) (part); 1974 Sch.4 para.1; S.I. 1984/176, reg.5(5) (part).

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| (3) | 1968 s.62(4B) (part); 1974 Sch.4 para.1; S.I. 1984/176 reg.5(5) (part). |
| (4) | 1968 s.62(4A) (part); 1974 Sch.4 para.1. |
| 10(1) | 1968 s.63(1). |
| (2) | 1968 ss.63(4) (part), 69G(3) (part); 1994 Sch.13 para.9. |
| 11 | 1968 s.69E(1) (part), (3) (part), (4) (part), (5) (part); 1994 s.49. |
| 12(1) | 1968 ss.63(3) (part), 69B(1); 1982 Sch.4 Pt.I, Pt.II para.1(c); 1994 Sch.13 paras.2(1), 6(1). |
| (2) | 1968 s.63(3) (part); 1982 Sch.4 Pt.II para.8(a). |
| (3) | 1968 s.63(3) (part). |
| (4), (5) | 1968 s.69B(2); 1982 Sch.4 Pt.I; 1994 Sch.13 para.6(1). |
| (6) | 1968 s.63(4) (part). |
| (7) | 1968 s.69G(2) (part); 1994 Sch.13 para.9. |
| (8) | 1968 ss.63(4A), 69G(4) (part); 1994 s.43, Sch.13 para.9. |
| (9) | 1968 s.63(4) (part), 69G(1) (part); 1994 Sch.13 para.9. |
| (10) | 1968 s.69G(1) (part); 1994 Sch.13 para.9. |
| (11) | Drafting. |
| (12) | 1968 ss.63(6), 159(3)(a), (b); Local Government Act 1972 (c.70) s.179(3); 1982 Sch.4 Pt.II para.8(b); Planning (Consequential Provisions) Act 1990 (c. 11) Sch.2 para.22(1); Trade Union and Labour Relations (Consolidation) Act 1992 (c.52) Sch.2 para.2; Local Government (Wales) Act 1994 (c.19) Sch.7 para.35; Local Government etc. (Scotland) Act 1994 (c. 39) Sch.13 para.80(8). |
| 13(1) | 1968 s.64(1) (part); Interpretation Act 1978 (c. 30) s.17(2); 1994 s.44(1); S.I. 1984/176 regs.5(1) (part), 36(7) (part). |
| (2) | 1968 s.64(1) (part); 1994 s.44(1). |
| (3) | S.I. 1984/176 reg.5(1) (part), (2). |

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(4)	1968 s.64(2); 1994 s.44(1).
(5)	1968 s.64(3); Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c. 3) s.2(2) (part); 1994 s.44(1), Sch.13 para.17.
(6) to (11)	1968 s.64(4) to (9); 1994 s.44(1).
14(1)	Drafting.
(2)	1968 s.69B(3), (4); 1982 Sch.4 Pt.I; 1994 Sch.13 para.6(2), (3).
(3) to (5)	1968 s.69B(5), (5A), (5B); 1994 s.44(2).
(6), (7)	1968 s.69B(6), (6A); 1994 Sch.13 para.6(4).
15(1) to (4)	1968 s.64A; 1994 s.44(1).
(5), (6)	S.I. 1984/176 reg.4(4).
16(1) to (3)	1968 s.67(1) to (4); 1994 s.46.
(4)	1968 s.67(4); 1994 s.46; S.I. 1984/176 reg.9(4) (part); S.I. 1987/841 reg.5.
(5)	1968 ss.67(5), 92(4A) (part); 1994 s.46, Sch.13 para.15(4).
17	1968 s.68(1) and (3) to (6); 1994 s.47(1).
18	1968 s.69E(1) (part), (2), (3) (part), (4) (part), (5) (part); 1994 s.49.
19	1968 s.69D; 1994 s.47(2).
20	S.I. 1984/176 reg.8.
21(1) to (4)	1968 s.64B(1) to (4); 1994 s.45.
(5)	1968 ss.64B(5), 159(1) "public road"; Roads (Scotland) Act 1984 (c. 54) Sch.9 para.66(10)(d); 1994 s.45.
(6)	1968 s.64B(6); 1994 s.45.
22(1)	1968 s.66(1); 1994 Sch.13 para.3.
(2), (3)	S.I. 1984/176 reg.7(1).
(4), (5)	S.I. 1984/176 reg.7(3), (4).
(6)	1968 s.66(2); S.I. 1984/176 reg.7(2) (part).
23(1)	1968 s.69C(1); 1994 Sch.13 para.7(1).
(2)	1968 s.69C(2); 1982 Sch.4 Pt.I.
(3)	1968 s.69C(3); 1994 Sch.13 para.7(2).

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(4), (5)	1968 s.69C(5), (5A); 1994 Sch.13 para.7(3).
(6)	1968 s.69C(6); 1982 Sch.4 Pt.I.
24(1), (2)	1968 s.67A(1), (2); 1994 s.46.
(3)	1968 s.67A(8); 1994 s.46.
(4) to (8)	1968 s.67(3) to (7); 1994 s.46.
(9)	1968 s.92(2B) (part); 1994 Sch.13 para.15(2).
25(1) to (6)	1968 s.68A; 1994 s.47(1).
(7)	1968 s.92(2B) (part); 1994 Sch.13 para.15(2).
26(1)	1968 s.69(1), (4) (part); 1988 Sch.3 para.6(2)(d); 1994 s.48(2).
(2), (3)	1968 s.69(2), (2A); 1994 s.48(2).
(4)	1968 s.69(3).
(5)	1968 s.69(3A), (4) (part); S.I. 1984/176 reg.36(3)(b), (c).
(6), (7)	1968 s.69(7A); 1974 Sch.4 para.4(4); 1994 Sch.13 para.4(4).
(8)	1968 s.69(8); 1994 s.48(5).
(9)	1968 s.69(10A) (part); 1994 Sch.13 para.4(7).
(10)	1968 s.92(4).
(11)	1968 s.92(3); 1982 Sch.4 Pt.II para.7(b); 1994 Sch.13 para.15(3).
27(1)	S.I. 1984/176 reg.9(1).
(2), (3)	S.I. 1984/176 reg.9(2).
(4)	S.I. 1984/176 reg.9(4) (part); S.I. 1987/841 reg.5.
28(1)	1968 s.69(5); 1994 s.48(3); S.I. 1984/176 reg.9(4) (part); S.I. 1987/841 reg.5.
(2), (3)	1968 s.69(5A), (5B); 1994 s.48(3).
(4)	1968 s.69(6).
(5)	1968 s.69(7); 1994 s.48(4), Sch.13 para.4(3).
(6)	1968 s.69(8A); 1994 s.48(5).
(7)	1968 s.69(10A) (part); 1994 Sch.13 para.4(7).

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(8)	1968 s.69(11); Companies Consolidation (Consequential Provisions) Act 1985 (c.9) Sch.2.
29(1)	1968 s.69(9); 1974 Sch.4 para.4(6); 1994 Sch.13 para.4(5); S.I. 1984/176 reg.9(4) (part); S.I. 1987/841 reg.5.
(2)	1968 s.69(10) (part); 1994 Sch.13 para.4(6); S.I. 1984/176 reg.9(4) (part); S.I. 1987/841 reg.5.
(3), (4)	1968 s.69(10) (part).
30	1968 s.69EA; 1994 s.50(1).
31(1) to (4)	1968 s.69EB; 1994 s.50(1).
(5)	1968 s.69G(1) (part), (2) (part), (4) (part); 1994 Sch.13 para.9.
32	1968 ss.69EC; 1994 s.50(1).
33	1968 ss.69ED; 1994 s.50(1).
34	1968 s.69H; 1994 Sch.13 para.9.
35(1)	1968 s.87(1); S.I. 1984/176 reg.36(4) (part).
(2)	1968 s.87(3); S.I. 1984/176 regs.9(4) (part), 36(4) (part); S.I. 1987/841 reg.5.
(3)	1968 s.87(4); S.I. 1984/176 reg.36(4) (part).
(4)	1968 s.87(5).
36	1968 s.69J; 1994 s.52.
37(1)	1968 s.70(1) (part), (2); 1994 s.53.
(2)	1968 s.70(1) (part), (3); Interpretation Act 1978 (c.30) s.17(2); 1994 s.53; S.I. 1984/176 reg.9(3).
(3) to (7)	1968 s.70(1) (part), (4) to (8); 1994 s.53.
38(1)	1960 s.233(2) (part).
(2)	1960 s.233(1); 1968 Sch.10 Pts. I, II; 1994 Sch.13 para.16; S.I. 1984/176 reg.36(9) (part).
(3)	1960 s.233(3); Powers of Criminal Courts Act 1973 (c. 62) s.30; 1988 Sch.3 para.2(1).
(4)	1960 s.233(2) (part); Forgery and Counterfeiting Act 1981 (c. 45) s.12.

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39(1)	1960 s.235(1); 1968 Sch.10 Pt.I; S.I. 1984/176 reg.36(9) (part).
(2)	1960 s.235(3); 1974 Sch.5 Pt.I; Transport Act 1980 (c. 34) Sch.4.
40(1)	1968 s.82(4); 1994 Sch.13 para.10.
(2)	1968 s.82(5) (part).
41	1968 s.82(6) (part).
(2)	1968 s.82(6) (part), (7) (part).
(3)	1968 s.82(6) (part).
(4)	1968 s.82(6) (part), (7) (part).
(5)	1968 s.82(7) (part).
42(1)	1968 s.82(8); Road Traffic Act 1991 (c. 40) Sch.4 para.1.
(2)	1968 s.82(9) (part).
43(1)	1968 s.84 (part); S.I. 1984/176 reg.36(4) (part).
(2)	1968 s.84 (part); 1994 Sch.13 para.11.
(3)	1968 s.84 (part).
44	1968 s.69I; 1994 s.51.
45	1968 s.89; 1994 s.56.
46(1)	1968 s.85(1); 1994 Sch.13 para.12.
(2)	1968 s.85(2); Transport Act 1982 (c. 49) Sch.5 para.6.
(3)	Drafting.
47	1968 s.85A; 1994 s.54.
48(1) to (4)	1968 s.86(1) to (4); 1994 s.55.
(5)	1968 s.92(4A) (part); 1994 Sch.13 para.15(4).
(6)	1968 s.86(5); 1994 s.55.
49(1)	S.I. 1984/176 reg.6(1) and (2) to (4).
(5)	S.I. 1984/176 reg.6(1A); S.I. 1991/2239 reg.4(3).
(6)	European Communities Act 1972 (c. 68) s.2(3)(b).
50(1)	Drafting.
(2)	1968 s.166(2) (part).
51	1960 s.244 (part); 1968 s.62(4B) (part); Driver and Vehicle Licensing Act

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	1969 (c. 27) Sch.2 para.11; 1974 Sch.4 para.1; 1988 Sch.3 para.6(1).
52	1960 s.247(2) (part); 1968 Sch.10 Pt.I; 1988 Sch.3 para.2(3).
53	1960 s.255 (part); 1968 Sch.10 Pt.I.
54	1960 s.269 (part); 1968 Sch.10 Pt.I.
55	1960 s.263; 1968 Sch.10 Pt.II.
56	1968 Sch. 10 Pt.I.
57(1)	1968 s.91(1) (part); S.I. 1984/176 reg.36(6) (part).
(2)	1968 s.91(1) (part); 1982 Sch.4 Pt.II para.6(a); 1994 Sch.13 para.14(1)(a) to (d); S.I. 1984/176 regs.9(4) (part), 36(4) (part), (5) (part); S.I. 1987/841 reg.5.
(3)	S.I. 1984/176 reg.36(5) (part).
(4)	1968 s.91(2); 1994 Sch.13 para.14(2); S.I. 1984/176 reg.36(4) (part).
(5)	S.I. 1984/176 reg.36(5) (part).
(6)	1968 s.91(4); S.I. 1984/176 reg.36(4) (part).
(7)	1968 s.91(4A); 1994 Sch.13 para.14(4).
(8), (9)	1968 s.91(5), (6).
(10)	1968 s.91(6A); 1994 Sch.13 para.14(5).
(11)	1968 s.91(7); 1994 Sch.13 para.14(6).
(12)	1968 s.91(8).
(13)	1968 s.157 (part).
58(1)	“area”: drafting; “articulated combination”: 1968 s.92(1) “articulated combination”; “carriage of goods”: 1968 s.92(1) “carriage of goods”; “contravention”: 1968 s.92(1) “contravention”; “the 1974 Council Directive”: S.I. 1984/176 reg.3(2) “the 1974 Council Directive”; S.I. 1990/1849 reg.3(b); S.I. 1990/2640 reg.3; “the 1977 Council Directive”: S.I. 1984/176 reg.3(2) “the 1977 Council Directive”; S.I. 1990/1849 reg.3(c); “driver”: 1960 s.257(1) “driver”; 1968 s.92(1) “driver”; “functions”: 1968 s.159(1) “functions”; “goods”: 1968 s.92(1) “goods”;

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- “goods vehicle”: 1968 s.92(1) “goods vehicle”, (5); 1994 Sch.13 para.15(5); “holding company” and “subsidiary”: S.I. 1984/176 reg.3(2) “holding company” and “subsidiary”; S.I. 1987/841 reg.4(1)(a); “international transport operations” and “national transport operations”: S.I. 1984/176 reg. 3(2) “international transport operations” and “national transport operations”; S.I. 1986/1391 reg.3(a); “modification”: 1968 s.92(1) “modification”; 1994 Sch.13 para.15(1)(b); “motor vehicle” and “trailer”: 1968 s.92(1) (part); “operating centre”: drafting; “operator’s licence”: drafting; “owner”: 1968 s.92(1) “owner”; 1982 Sch.4 Pt.II para.7(a); “plated weight”: 1968 s.159(1) “plated weight”; 1988 Sch.3 para.6(8); “prescribed”: 1968 s.92(1) “prescribed”; “regulations”: 1968 s.92(1) “regulations”; “restricted licence”: drafting; “road”: 1960 s.257(1) “road”; 1968 s.159(1) “road”; Roads (Scotland) Act 1984 (c. 54) Sch.9 para.66(10)(e); “road transport undertaking”: S.I. 1984/176 reg.3(2) “road transport undertaking”; “standard licence”: drafting; “statutory provision”: 1968 s.92(1) “statutory provision”; 1994 Sch.13 para.15(1)(d); “traffic area”: drafting; “transport manager”: S.I. 1984/176 “transport manager”; “vehicle combination”: 1968 s.92(1) “vehicle combination”.
- (2) 1968 s.92(2).
- (3) 1968 s.92(2A); 1994 Sch.13 para.15(2).
- (4) S.I. 1984/176 reg.3(3).
- (5) 1968 s.92(6).
- 59 to 62
- Sch. 1

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para.1	1968 s.60(4) (part).
para.2	1968 s.60(4)(a); S.I. 1981/1373 Sch. Pt.IIIA; S.I. 1984/177 reg.2.
para.3(1)	1968 s.60(4)(b); S.I. 1981/1373 Sch. Pt.IIIA; S.I. 1984/177 reg.2.
para.3(2)	1968 s.60(4) (part); S.I. 1981/1373 Sch. Pt.IIIA.
para.4	1968 s.60(4)(c); S.I. 1981/1373 Sch. Pt.IIIA; S.I. 1984/177 reg.2.
para.5	1968 s.60(4) (part).
Sch. 2	
para.1	1968 s.62(4) (part); Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c. 3) s.2(2) (part); 1994 Sch.13 para.1(2).
para.2	1968 s.62(4)(d) (part).
para.3	1968 s.62(4)(d) (part).
para.4	1968 s.62(4)(e) (part).
paras.5, 6	1968 s.69(4) (part); Road Traffic Act 1972 (c.20) Sch.7; 1974 Sch.4 para.4(2); International Road Haulage Permits Act 1975 (c.46) s.3(1); Hydrocarbon Oil Duties Act 1979 (c.5) Sch.6 para.2; Road Traffic Regulation Act 1984 (c.27) Sch.13 para.6(a), (b); 1988 Sch.3 para.6(2)(a), (b), (c); Environmental Protection Act 1990 (c.43) Sch.15 para.10(2)(b); 1994 Sch.13 para.4(1); S.I. 1984/176 reg.36(3)(c).
Sch. 3	
para.1(1), (2)	S.I. 1984/176 Sch.6 para.1(1), (2).
para.1(3)	S.I. 1984/176 reg.3(2) "relevant conviction" (part); S.I. 1990/1849 reg.3(a).
para.2	S.I. 1984/176 Sch.6 para.1(3), (9) (part); S.I. 1990/1849 reg.7(a).
para.3(1), (2)	S.I. 1984/176 Sch.6 para.1(4); S.I. 1990/1849 reg.7(a).
para.3(3)	S.I. 1984/176 Sch.6 para.1(6); S.I. 1990/1849 reg.7(a).
para.4	S.I. 1984/176 Sch.6 para.1(5); S.I. 1990/1849 reg.7(a).

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para.5(1)	S.I. 1984/176 Sch.6 para.1(7); S.I. 1990/1849 reg.7(a).
para.5(2)	S.I. 1984/176 reg.3(2) “relevant conviction” (part), Sch.6 para.1(8); S.I. 1990/1849 regs.3(a), 7(a).
para.6(1)	S.I. 1984/176 Sch.6 para.2(1).
para.6(2), (3)	S.I. 1984/176 Sch.6 paras.2(2), (3); S.I. 1990/1849 reg.7(b).
para.6(4)	S.I. 1990/1849 reg.2(3).
para.7	Drafting.
para.8(1)	S.I. 1984/176 Sch.6 para.3; S.I. 1986/666 reg.10.
para.8(2)	S.I. 1984/176 Sch.6 para.3A; S.I. 1986/666 reg.10; S.I. 1990/1849 reg.7(c).
para.9	S.I. 1984/176 Sch.6 para.4.
para.10	S.I. 1984/176 Sch.6 para.5(1); S.I. 1990/1849 reg.7(d).
para.11	S.I. 1984/176 Sch.6 para.5(2); S.I. 1990/1849 reg.7(e).
para.12	S.I. 1984/176 Sch.6 para.1(10); S.I. 1990/1849 reg.7(a).
para.13(1), (2)	S.I. 1984/176 Sch.6 para.6; S.I. 1990/2640 reg.4.
para.13(3)	S.I. 1984/176 Sch.6 para.7.
para.14	S.I. 1990/2640 regs.1 (part), 2(2).
para.15	S.I. 1984/176 reg.23A; S.I. 1991/2239 reg.7.
Sch. 4	1968 Sch.8A; 1994 Sch.12.
Sch. 5	
para.1(1)	1968 s.71(6) (part).
para.1(2) to (4)	1968 s.71(6) (part); S.I. 1981/1373 Sch. Pt.IIIA.
para.1(5)	1968 s.71(6) (part).
para.1(6)	1968 ss.71(8), 92(1) (part).
para.2	1968 s.81.
para.3(1)	1968 s.82(1).
para.3(2), (3)	1968 s.82(2).
para.3(4)	1968 s.82(3).

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para.3(5)	1968 s.82(1) (part), (2) (part).
para.3(6)	1968 s.82(5) (part).
para.3(7)	1968 s.82(8) (part); Road Traffic Act 1991 (c. 40) Sch.4 para.1.
para.3(8)	1968 s.82(9) (part).
para.4(1)	1968 s.83 (part).
para.4(2)	1968 s.83 (part); Powers of Criminal Courts Act 1973 (c. 62) s.30.
para.5	Drafting.
Schs. 6 to 8	

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