

SCHEDULES

SCHEDULE 1

Section 2.

MEANING OF “SMALL GOODS VEHICLE”

- 1 For the purposes of section 2 a small goods vehicle is a goods vehicle falling within any of paragraphs 2 to 4.
- 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,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.

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 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 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;
 - (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.

“Relevant person”

- 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 Road Traffic Act 1988 (plating certificates and goods vehicle test certificates);
 - (b) an offence committed in relation to a goods vehicle consisting in the contravention of any provision (however expressed) contained in or having effect under any enactment (including any enactment passed after this Act) relating to—
 - (i) the maintenance of vehicles in a fit and serviceable condition;
 - (ii) limits of speed and weight laden and unladen, and the loading of goods vehicles; or
 - (iii) the licensing of drivers;
 - (c) an offence under—
 - (i) this Act;
 - (ii) Part V of the Transport Act 1968 or section 233 or 235 of the 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 Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984; or
 - (iv) any regulation made under this Act or the 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 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 Road Traffic Act 1988 (forgery, false statements and withholding of information) committed in relation to an international road haulage permit within the meaning of that Act;
 - (g) an offence under section 2 of the International Road Haulage Permits Act 1975 (removing, or causing or permitting the removal of, a goods vehicle or trailer from the United Kingdom in contravention of a prohibition imposed under that section);

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- (h) an offence under section 74 of the 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 Control of Pollution Act 1974;
 - (ii) section 2 of the Refuse Disposal (Amenity) Act 1978;
 - (iii) section 1 of the Control of Pollution (Amendment) Act 1989; or
 - (iv) section 33 of the Environmental Protection Act 1990;
- (j) an offence committed in relation to a goods vehicle consisting in the contravention of—
 - (i) any provision (however expressed) prohibiting or restricting the waiting of vehicles which is contained in an order made under section 1, 6, 9 or 12 of the 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).

Repealed enactments

- 6 (1) In paragraph 5 any reference to an offence under a provision of the Road Traffic Act 1988 includes a reference to an offence under any corresponding provision of the Road Traffic Act 1972 repealed by the 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 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.

SCHEDULE 3

Sections 13 and 27.

QUALIFICATIONS FOR STANDARD LICENCE

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.

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- (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—
 - (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.
- 2 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—
- (a) has more than one conviction of a serious offence; or
 - (b) has repeatedly been convicted of road transport offences.
- 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 community service order requiring him to perform work 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; and
 - (b) “community service order” means an order under section 14 of the Powers of Criminal Courts Act 1973 or under the Community Service by Offenders (Scotland) Act 1978.

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- 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, offences relating to—
 - (i) drivers' hours of work and rest periods;
 - (ii) the weights and dimensions of commercial vehicles; and
 - (iii) road and vehicle safety; or
 - (b) any corresponding offence under the law of a country or territory outside the United Kingdom.
- 5 (1) Any reference in paragraphs 1 to 4 to an offence under the law of any part of the United Kingdom includes a reference to a civil offence (wherever committed) within the meaning of the Army Act 1955, the Air Force Act 1955 or (as the case may be) the Naval Discipline Act 1957.
- (2) For the purposes of paragraphs 1 to 4—
- (a) convictions which are spent for the purposes of the 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.

Appropriate financial standing

- 6 (1) An applicant for, or the holder of, a standard licence is of the appropriate financial standing if he has available to him sufficient financial resources to ensure the establishment and proper administration of the road transport undertaking carried on, or proposed to be carried on, under the licence.
- (2) An applicant for, or the holder of, a standard licence authorising the use of vehicles for international transport operations shall not be considered to be of the appropriate financial standing unless he has available to him capital and reserves of an amount equal to or exceeding whichever of the following amounts is, in his case, the lesser—
- (a) 3000 European Currency Units multiplied by the number of vehicles which are, or are to be, used under the licence, or
 - (b) 150 European Currency Units multiplied by the number of tonnes of the aggregate of the relevant maximum weights of those vehicles.
- (3) In sub-paragraph (2) “relevant maximum weight” has the meaning given in section 108(1) of the Road Traffic Act 1988.
- (4) Sub-paragraph (2) does not apply in relation to—
- (a) any licence issued before 11 October 1990, or
 - (b) any licence issued on or after that date to a person who has continuously held a licence since before that date and up to the time when the new licence is issued.

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
 - (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.
- 10 Where the holder of a standard licence relies on a single transport manager to satisfy the requirement of professional competence and that manager—
- (a) dies,
 - (b) ceases, by reason of physical disability or mental disorder, to be capable of discharging his duties as transport manager,
 - (c) ceases to work for the business, or
 - (d) ceases to be of good repute,
- the holder of the licence shall not be treated as failing to satisfy the requirement of professional competence until the expiry of such period (not exceeding 18 months) as, in the opinion of the traffic commissioner by whom the licence was issued, is reasonably required for the appointment of a new transport manager.
- 11 Where—
- (a) the holder of a standard licence is a company which has two or more transport managers, and
 - (b) any of those managers ceases to be of good repute,
- the company shall not be treated as failing to satisfy the requirement of professional competence until the expiry of such period as, in the opinion of the traffic commissioner by whom the licence was issued, is reasonably required for that manager's removal or the appointment of another transport manager in his place.
- 12 Paragraphs 1 to 5 shall have effect for the purposes of any provision of paragraphs 8 to 11 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.
- 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.

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- (2) The written examination mentioned in sub-paragraph (1)(a) may take the form of a multiple-choice examination.
- (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 Transport Act (Northern Ireland) 1967; or
 - (c) a body or authority designated for the purposes of Article 3.4 of the 1974 Council Directive by a member State other than the United Kingdom; and
- “the requisite skills” means skills in the subjects listed in Part A and, in the case of a licence to cover international operations, Part B, of the Annex to the 1974 Council Directive.
- 14 In relation to a certificate of professional competence which was issued before 4 February 1991, or which was issued on or after that date to a person who before that date passed the whole or any part of the examination leading to the issue of that certificate, paragraph 13 has effect with the following modifications—
- (a) for sub-paragraph (1)(a) there shall be substituted—
 - “(a) he is the holder of a certificate issued by an approved body to the effect that he possesses the requisite skills; or”;
 - (b) sub-paragraph (2) shall be omitted; and
 - (c) references in sub-paragraph (3) to the 1974 Council Directive shall be construed as references to that Directive as it had effect immediately before it was amended by Community Council Directive No.89/438/EEC dated 21 June 1989.

Transport manager to be notified of proceedings

- 15 (1) A traffic commissioner shall not in any proceedings under this Act 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; and
 - (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.
- (2) Where a transport manager makes representations under this paragraph, the traffic commissioner shall consider the representations—
- (a) in considering whether or not to hold an inquiry 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.
- (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.

SCHEDULE 4

Section 33.

TRANSFER OF OPERATING CENTRES

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);
 section 13(5)(d) 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 section 13(11) 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).

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.

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- (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.
 - (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.

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.
- (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 Road Traffic Act 1960.

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—

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- (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 issued by him, 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.

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 at the office of the traffic commissioner 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.

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- (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.

Falsification of consignment notes and records

- 4 (1) Any person who—
- (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.

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

- 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.
- 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 Interpretation Act 1978 (but without prejudice to any other provision of that Act).

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

- 6 In section 12(12), in the definition of the expression “local authority”—
- (a) in paragraph (b), until 1st April 1996, for the words from “the council” onwards there shall be substituted the words “the council of a county or district”; and
 - (b) in paragraph (c), until 1st April 1996, for the words from “a council” onwards, there shall be substituted the words “a regional, islands or district council”.

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 Companies Act 1989 came into force) the expressions “holding company” and “subsidiary” have the meaning given by section 736 of the Companies Act 1985 as originally enacted.

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

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—
- “(b) to any offence under section 2 of the Goods Vehicles (Licensing of Operators) Act 1995;”.
- 2 In section 244 of that Act (time for bringing summary proceedings), the words from “under section 233” to the second occurrence of the words “or an offence” shall be omitted.

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”.
- 4 In section 158 of that Act (inquiries), in subsection (1), the words “other than Part V” shall be omitted.

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

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

- (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
- 13 In section 85 of that Act (interpretation of Part II), the definition of “licensing authority” (which is no longer needed) shall be omitted.
- 14 In section 86 of that Act (index of defined expressions), the entry relating to the expression “licensing authority” shall be omitted.

SCHEDULE 8

Section 60(2).

REPEALS AND REVOCATIONS

PART I

ENACTMENTS REPEALED

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
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.
1976 c. 3.	The Road Traffic (Drivers' Ages and Hours of Work) Act 1976.	Section 2(2).

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

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
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.

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

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
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

<i>Year and number</i>	<i>Title</i>	<i>Extent of Revocation</i>
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.

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

<i>Year and number</i>	<i>Title</i>	<i>Extent of Revocation</i>
S.I. 1990/1849 .	The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) Regulations 1990.	Regulations 2(3), 4, 6 and 7.
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)

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

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.
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

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(Transport) Order 1981 (S.I. 1981/238). The Table does not separately acknowledge the effect of those Orders.

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

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<i>Provision</i>	<i>Derivation</i>
(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).
(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

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<i>Provision</i>	<i>Derivation</i>
	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).
(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.

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<i>Provision</i>	<i>Derivation</i>
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).
(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.

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

<i>Provision</i>	<i>Derivation</i>
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).
(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).

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

<i>Provision</i>	<i>Derivation</i>
(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.
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.

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

<i>Provision</i>	<i>Derivation</i>
(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 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).

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

<i>Provision</i>	<i>Derivation</i>
58(1)	<p>“area”: drafting;</p> <p>“articulated combination”: 1968 s.92(1) “articulated combination”;</p> <p>“carriage of goods”: 1968 s.92(1) “carriage of goods”;</p> <p>“contravention”: 1968 s.92(1) “contravention”;</p> <p>“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;</p> <p>“the 1977 Council Directive”: S.I. 1984/176 reg.3(2) “the 1977 Council Directive”; S.I. 1990/1849 reg.3(c);</p> <p>“driver”: 1960 s.257(1) “driver”; 1968 s.92(1) “driver”;</p> <p>“functions”: 1968 s.159(1) “functions”;</p> <p>“goods”: 1968 s.92(1) “goods”;</p> <p>“goods vehicle”: 1968 s.92(1) “goods vehicle”, (5); 1994 Sch.13 para.15(5);</p> <p>“holding company” and “subsidiary”: S.I. 1984/176 reg.3(2) “holding company” and “subsidiary”; S.I. 1987/841 reg.4(1)(a);</p> <p>“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);</p> <p>“modification”: 1968 s.92(1) “modification”; 1994 Sch.13 para.15(1) (b);</p> <p>“motor vehicle” and “trailer”: 1968 s.92(1) (part);</p> <p>“operating centre”: drafting;</p> <p>“operator’s licence”: drafting;</p> <p>“owner”: 1968 s.92(1) “owner”; 1982 Sch.4 Pt.II para.7(a);</p> <p>“plated weight”: 1968 s.159(1) “plated weight”; 1988 Sch.3 para.6(8);</p>

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

<i>Provision</i>	<i>Derivation</i>
	“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	
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

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

<i>Provision</i>	<i>Derivation</i>
	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).
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.

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

<i>Provision</i>	<i>Derivation</i>
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).
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	—