



# Goods Vehicles (Licensing of Operators) Act 1995

## 1995 CHAPTER 23

### *Miscellaneous*

#### **45 Fees.**

- (1) Such fees, payable at such times, and whether in one sum or by instalments, as may be prescribed shall be charged by a traffic commissioner in respect of—
  - (a) applications for, or for the variation of, operators' licences;
  - (b) the issue or variation of operators' licences;
  - (c) the continuation in force of operators' licences;
  - (d) any arrangements made with the holder of an operator's licence to treat the licence for certain administrative purposes as if it were two or more licences.
- (2) A traffic commissioner may decline to proceed with—
  - (a) any application for, or for the variation of, an operator's licence, or
  - (b) the issue or variation of any operator's licence,until any fee or instalment of a fee in respect of the application, issue or variation (as the case may be) is duly paid.
- (3) If, in the case of any application for, or for the variation of, an operator's licence, any fee or instalment of a fee in respect of the application or the issue or variation of the licence is not duly paid by the prescribed time—
  - (a) the application shall be treated as withdrawn at that time, and
  - (b) any decision made or direction given on the application, and any licence issued or variation effected in pursuance of such a direction, ceases to have effect or terminates at that time.
- (4) If any fee or instalment of a fee in respect of the continuation in force of an operator's licence is not duly paid by the prescribed time, the licence terminates at that time.

*Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995, Section 45 is up to date with all changes known to be in force on or before 12 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) [<sup>F1</sup>A traffic commissioner] may, if he considers there to be exceptional circumstances that justify his doing so in any case where subsection (3) or (4) has applied, direct that as from the time mentioned in that subsection its effect in that case be disregarded.
- (6) Where, by virtue of such a direction, the effect of subsection (3)(a) is to be disregarded in any case, any termination—
- (a) of an interim licence under section 24(5)(b) or (6), or
  - (b) of an interim direction under section 25(4),
- by virtue of the operation of subsection (3)(a) in that case before the direction was given shall be cancelled with effect from the same time.
- (7) Where such a direction is given in respect of an operator's licence—
- (a) any condition attached to the licence under section 22 shall be treated as having been of no effect during the period beginning with the time when the licence terminated by virtue of subsection (3) or (4) above and ending with the time when the direction comes into force, and
  - (b) subject to paragraph (a), the traffic commissioner may vary any such condition as it applies in relation to events occurring before the direction comes into force.
- (8) All fees payable under this Act, other than those payable under section 49, shall be paid into the Consolidated Fund in such manner as the Treasury may direct.

#### Textual Amendments

- F1** Words in s. 45(5) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 1](#) (with arts. 1(3), 2, 7)

#### Modifications etc. (not altering text)

- C1** S. 45(3) excluded (1.1.1996) by [S.I. 1995/2181](#), art. 3, [Sch. para. 14](#)

**Changes to legislation:**

Goods Vehicles (Licensing of Operators) Act 1995, Section 45 is up to date with all changes known to be in force on or before 12 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

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

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