

1972 No. 716

ROAD TRAFFIC

**The Goods Vehicles (Operators' Licences) (Temporary Use
in Great Britain) Regulations 1972**

<i>Made - - -</i>	<i>8th May 1972</i>
<i>Laid before Parliament</i>	<i>16th May 1972</i>
<i>Coming into Operation</i>	<i>6th June 1972</i>

The Secretary of State for the Environment (hereinafter referred to as "the Secretary of State") in exercise of his powers under sections 89(1) and 91(1), (4) and (5) of the Transport Act 1968(a), and of all other enabling powers, and after consultation with representative organisations in accordance with section 91(8) of the said Act of 1968, and with the Council on Tribunals in relation to Regulation 17 of, and Schedule 2 to, these Regulations in accordance with the requirements of section 10 of the Tribunals and Inquiries Act 1971(b), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1972, and shall come into operation on 6th June 1972.

Revocation

2. The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1970(c), the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1970(d) and the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1971(e) are hereby revoked.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Transport Act 1968;

(a) 1968 c. 73.

(c) S.I. 1970/202 (1970 I, p. 901).

(e) S.I. 1971/353 (1971 I, p. 1141).

(b) 1971 c. 62.

(d) S.I. 1970/1798 (1970 III, p. 5859).

“foreign goods vehicle” means a goods vehicle—

- (a) which has been brought temporarily into Great Britain and does not remain in Great Britain for more than three months; and
- (b) which is engaged in carrying goods by road on a journey some part of which has taken place, or will take place, outside the United Kingdom; and
- (c) which is not used at any time during the said journey for the carriage of goods loaded at one place in the United Kingdom and delivered at another place in the United Kingdom; and

“Northern Ireland goods vehicle” means a goods vehicle—

- (a) which has been brought temporarily into Great Britain and does not remain in Great Britain for more than three months; and
- (b) which is engaged in carrying goods by road on a journey some part of which has taken place, or will take place, outside Great Britain; and
- (c) which is not used at any time during the said journey for the carriage of goods loaded at one place in Great Britain and delivered at another place in Great Britain; and
- (d) which, in the case of a motor vehicle, is registered in Northern Ireland; and
- (e) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Northern Ireland goods vehicle.

(2) In these Regulations, unless the context otherwise requires, any reference to the use of a goods vehicle for the carriage of goods shall be construed as a reference to the use of that vehicle on roads for the carriage of those goods for hire or reward or for or in connection with any trade or business carried on by the user of the vehicle.

(3) The Interpretation Act 1889^(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were Acts of Parliament thereby repealed.

Exemption for Northern Ireland and foreign goods vehicles used for certain purposes

4. Section 60(1) of the Act (users of certain goods vehicles to hold operators' licences) shall not apply to the use in Great Britain of a Northern Ireland or foreign goods vehicle for the carriage only of such goods as are specified in Schedule 1 to these Regulations, and nothing in the provisions of Regulations 5 to 16 of these Regulations shall be taken to derogate from the provisions of this Regulation.

Exemptions and modifications for Austrian goods vehicles

5.—(1) In this Regulation “Austrian goods vehicle” means a foreign goods vehicle—

- (a) which is owned by or operated by or on behalf of a person—
 - (i) who is authorised under Austrian law to use that vehicle for the carriage of goods in the Republic of Austria; or

(a) 1889 c. 63.

- (ii) who, if Austrian law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and
- (b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is an Austrian goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of an Austrian goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

- (a) any such goods as are specified in Schedule I to these Regulations; and
- (b) any goods being carried for hire or reward and being—
 - (i) works of art;
 - (ii) carried exclusively for publicity or educational purposes;
 - (iii) properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;
 - (iv) carried for fairs and exhibitions;
 - (v) carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose.

(4) In relation to an Austrian goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, subsection (1) of section 60 of the Act shall have effect as if for the words from “(a) for hire or reward” to the end of that subsection there were substituted the words “for or in connection with any trade or business carried on by him except under an own account document carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.

In this subsection “own account document” means a document containing particulars of the user of the Austrian goods vehicle, his trade or business, the goods being carried, their loading and unloading points, the vehicle, and the route.”.

(5) In relation to an Austrian goods vehicle used for the carriage of goods other than those specified in paragraph (3) of this Regulation and in circumstances other than those to which the last preceding paragraph applies, subsection (1) of section 60 of the Act shall have effect as if for the words from “or (b) for or in connection with” to the end of that subsection there were substituted the words “except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage.”.

Exemptions for Belgian goods vehicles

6.—(1) In this Regulation “Belgian goods vehicle” means a foreign goods vehicle—

- (a) which, in the case of a motor vehicle, is registered in the Kingdom of Belgium; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Belgian goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Belgian goods vehicle for the carriage of any goods.

Exemptions and modifications for Czechoslovak goods vehicles

7.—(1) In this Regulation “Czechoslovak goods vehicle” means a foreign goods vehicle—

(a) which, in the case of a motor vehicle, is registered in the Czechoslovak Socialist Republic; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Czechoslovak goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Czechoslovak goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation—

(a) between the Socialist Republic of Czechoslovakia and the United Kingdom; or

(b) in transit through the United Kingdom, between any two other countries; or

(c) if the Secretary of State has authorised such use, between the United Kingdom and any other country except the Socialist Republic of Czechoslovakia.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

(a) any such goods as are specified in Schedule 1 to these Regulations;

(b) any goods being—

(i) works of art;

(ii) carried exclusively for publicity or educational purposes;

(iii) properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;

(iv) carried for fairs and exhibitions;

(v) carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose;

(vi) carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 1,000 kilograms.

(4) In relation to a Czechoslovak goods vehicle used for the carriage of goods other than those specified in the last preceding paragraph of this Regulation, subsection (1) of section 60 of the Act shall have effect as if for the words from “except under” to the end of that subsection there were substituted the words “except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage.”.

Exemptions and modifications for French goods vehicles

8.—(1) In this Regulation “French goods vehicle” means a foreign goods vehicle which is owned by or operated by or on behalf of a person—

- (a) who is authorised under French law to use that vehicle for the carriage of goods in the French Republic; or
- (b) who, if French law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a French goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

- (a) any such goods as are specified in Schedule 1 to these Regulations;
- (b) refuse and sewage.

(4) Section 60(1) of the Act shall not apply to the use in Great Britain of a French goods vehicle for the carriage of any goods, if it is a trailer drawn by a Belgian goods vehicle or a Netherlands goods vehicle within the meaning of Regulations 6 and 12 respectively of these Regulations.

(5) In relation to a French goods vehicle, being a motor vehicle or a trailer drawn by a motor vehicle being a French goods vehicle, used for the carriage of goods other than those falling within paragraph (3) of this Regulation, subsection (1) of section 60 of the Act shall have effect as if for the words from “except under” to the end of that subsection there were substituted the words “except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried, and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage.”.

(6) In relation to a French goods vehicle, being a trailer drawn by a motor vehicle—

- (a) being a foreign goods vehicle other than a French goods vehicle, and other than a Belgian goods vehicle or a Netherlands goods vehicle mentioned in paragraph (4) of this Regulation, or
- (b) not being a foreign goods vehicle,

used for the carriage of goods other than those falling within paragraph (3) of this Regulation, subsection (1) of section 60 of the Act shall have effect as if for the words from “except under” to the end of that subsection there were substituted the words “except under a permit carried on the vehicle.

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising a trailer for the carriage of goods on the journey on which the goods are being carried.”.

Exemptions and modifications for German goods vehicles

9.—(1) In this Regulation “German goods vehicle” means a foreign goods vehicle—

- (a) which is owned by or operated by or on behalf of a person—
 - (i) who is authorised under the law of the Federal Republic of Germany to use that vehicle for the carriage of goods in the Federal Republic of Germany; or
 - (ii) who, if the law of the Federal Republic of Germany permits him to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and
- (b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a German goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a German goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation which is engaged on a journey between any two countries and has used on that journey, or will use before the end of that journey, roads in the Federal Republic of Germany.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

- (a) any such goods as are specified in Schedule 1 to these Regulations;
- (b) any goods being carried for hire or reward and being—
 - (i) works of art;
 - (ii) carried exclusively for publicity or educational purposes;
 - (iii) properties or equipment being carried to or from theatrical, musical, film or sporting events, circuses, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;
 - (iv) carried for fairs and exhibitions;
 - (v) live animals, other than animals intended for slaughter.

(4) In relation to a German goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, subsection (1) of section 60 of the Act shall have effect as if for the words from “(a) for hire or reward” to the end of that subsection there were substituted the words “for or in connection with any trade or business carried on by him unless there is an own account document carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.

In this subsection “own account document” means a document containing the following particulars, that is to say:—

- (i) the place at which and the date on which the document was made out;
- (ii) the name and address of the user and an accurate description of the nature of his business;
- (iii) if the goods are to be accepted from, or delivered to, any other person, the name and address of that other person and an accurate description of the nature of his business;
- (iv) the loading point or points;
- (v) the unloading point or points;
- (vi) the nature of the load;

- (vii) the gross weight, or other indication of quantity, of the load;
- (viii) the carrying capacity of the vehicle, by weight;
- (ix) the index mark and registration number of the vehicle, or if those do not exist, the number of the chassis;
- (x) the distance of the loaded journey in Great Britain, in kilometres;
- (xi) the point or points at which the vehicle will enter and leave Great Britain; and
- (xii) the signature of the user or his authorised representative.”.

(5) In relation to a German goods vehicle used for the carriage of goods other than those specified in paragraph (3) of this Regulation and in circumstances other than those to which the last preceding paragraph applies, subsection (1) of section 60 of the Act shall have effect as if for the words from “or (b) for or in connection with” to the end of that subsection there were substituted the words “except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.

In this subsection “permit” means, in the case of a motor vehicle or a trailer drawn by that motor vehicle, a permit issued with the authority of the Secretary of State authorising the motor vehicle for the carriage of goods on the journey on which the goods are being carried.”.

Exemptions and modifications for Hungarian goods vehicles

10.—(1) In this Regulation “Hungarian goods vehicle” means a foreign goods vehicle—

- (a) which, in the case of a motor vehicle, is registered in the Hungarian People’s Republic; and
- (b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is an Hungarian goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of an Hungarian goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

- (a) any such goods as are specified in Schedule 1 to these Regulations;
- (b) any goods being carried for hire or reward and being—
 - (i) works of art;
 - (ii) carried exclusively for publicity or educational purposes;
 - (iii) properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;
 - (iv) carried for fairs and exhibitions;
 - (v) carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose;
 - (vi) carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 6,000 kilograms.

(4) In relation to an Hungarian goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, sub-section (1) of section 60 of the Act shall have effect as if for the words from “(a) for hire or reward” to the end of that sub-section there were substituted the words “for or in connection with any trade or business carried on by him, unless there is an own account document carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.”

In this sub-section “own account document” means a document containing particulars of the user of the Hungarian goods vehicle, his trade or business, the goods being carried, their loading and unloading points, the vehicle, and the route.”.

(5) In relation to an Hungarian goods vehicle used for the carriage of goods other than those specified in paragraph (3) of this Regulation and in circumstances other than those to which the last preceding paragraph applies, sub-section (1) of section 60 of the Act shall have effect as if for the words from “or, (b) for or in connection with” to the end of that sub-section there were substituted the words “except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn.”

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage.”.

Modifications for Italian goods vehicles

11.—(1) In this Regulation “Italian goods vehicle” means a foreign goods vehicle which is owned by or operated by or on behalf of a person who is authorised under Italian law to use that vehicle for the carriage of goods in the Italian Republic and used for the carriage of goods—

- (a) between the Italian Republic and the United Kingdom; or
- (b) in transit through the United Kingdom, between any two other countries.

(2) In relation to an Italian goods vehicle, being a motor vehicle or a trailer drawn by a motor vehicle being an Italian goods vehicle, subsection (1) of section 60 of the Act shall have effect as if for the words from “except under” to the end of that subsection there were substituted the words “except under a permit carried on the vehicle, or if that vehicle is a trailer, on the motor vehicle by which it is drawn.”

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage.”.

(3) In relation to an Italian goods vehicle, being a trailer drawn by a motor vehicle not being an Italian goods vehicle, subsection (1) of section 60 of the Act shall have effect as if for the words from “except under” to the end of that paragraph there were substituted the words “except under a permit carried on the vehicle.”

In this subsection “permit” means a permit issued with the authority of the Secretary of State authorising the trailer for the carriage of goods on the journey on which the goods are being carried.”.

Exemptions for Netherlands goods vehicles

12.—(1) In this Regulation “Netherlands goods vehicle” means a foreign goods vehicle—

- (a) which is owned by or operated by or on behalf of a person—
 - (i) who is authorised under the law of the Kingdom of the Netherlands to use that vehicle for the carriage of goods in that Kingdom; or
 - (ii) who, if such law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that Kingdom; and
- (b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Netherlands goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Netherlands goods vehicle for the carriage of any goods.

Exemptions for Norwegian goods vehicles

13.—(1) In this Regulation “Norwegian goods vehicle” means a foreign goods vehicle—

- (a) which, in the case of a motor vehicle, is registered in the Kingdom of Norway; and
- (b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Norwegian goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Norwegian goods vehicle for the carriage of any goods.

Exemptions for Rumanian goods vehicles

14.—(1) In this Regulation “Rumanian goods vehicle” means a foreign goods vehicle—

- (a) which, in the case of a motor vehicle, is registered in the Socialist Republic of Rumania; and
- (b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Rumanian goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Rumanian goods vehicle for the carriage of any goods—

- (a) between the Socialist Republic of Rumania and the United Kingdom; or
- (b) in transit through the United Kingdom, between any two other countries; or
- (c) if the Secretary of State has authorised such use, between the United Kingdom and any other country except the Socialist Republic of Rumania.

Exemptions for Swedish goods vehicles

15.—(1) In this Regulation “Swedish goods vehicle” means a foreign goods vehicle—

- (a) which is owned by or operated by or on behalf of a person—
 - (i) who is authorised under Swedish law to use that vehicle for the carriage of goods in the Kingdom of Sweden; or

(ii) who, if Swedish law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Swedish goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Swedish goods vehicle for the carriage of any goods.

Exemptions and modifications for Yugoslav goods vehicles

16.—(1) In this Regulation “Yugoslav goods vehicle” means a foreign goods vehicle—

(a) which is owned by or operated by or on behalf of a person—

(i) who is authorised under Yugoslav law to use that vehicle for the carriage of goods in the Socialist Federal Republic of Yugoslavia; or

(ii) who, if Yugoslav law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Yugoslav goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Yugoslav goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation—

(a) between the Socialist Federal Republic of Yugoslavia and the United Kingdom; or

(b) in transit through the United Kingdom, between any two other countries; or

(c) if the Secretary of State has authorised such use, between the United Kingdom and any other country except the Socialist Federal Republic of Yugoslavia.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

(a) any such goods as are specified in Schedule 1 to these Regulations;

(b) any goods, being—

(i) works of art;

(ii) carried exclusively for publicity or educational purposes;

(iii) properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;

(iv) carried for fairs or exhibitions;

(v) carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose;

(vi) carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 6,000 kilograms.

(4) In relation to a Yugoslav goods vehicle used for the carriage of goods other than those specified in paragraph (3) of this Regulation, subsection (1) of section 60 of the Act shall have effect as if for the words from "except under" to the end of that subsection there were substituted the words "except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn."

In this subsection "permit" means a permit issued with the authority of the Secretary of State authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage."

Simplified procedure for the grant, etc., of operators' licences

17.—(1) Part V of the Act shall have effect subject to the modifications specified in Part I of Schedule 2 to these Regulations in relation to Northern Ireland and foreign goods vehicles.

(2) The Goods Vehicles (Operators' Licences) Regulations 1969(a) and the Goods Vehicles (Operators' Licences) (Fees) Regulations 1971(b) shall have effect subject to the amendments specified in Part II of the said Schedule in relation to Northern Ireland and foreign goods vehicles.

Signed by authority of the Secretary of State

8th May 1972.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

SCHEDULE 1 (see Regulations 4, 5, 7, 8, 9, 10 and 16)

GOODS WHICH MAY BE CARRIED IN GREAT BRITAIN BY A NORTHERN IRELAND OR FOREIGN GOODS VEHICLE WITHOUT AN OPERATOR'S LICENCE

1. Luggage being carried to or from an airport.
2. Other goods being carried to or from an airport in a case where an air service has been diverted.
3. Postal packets (as defined by section 87 of the Post Office Act 1953(c)).
4. Damaged vehicles.
5. Animal corpses (other than those intended for human consumption) for the purpose of disposal.
6. Bees or fish stock.
7. The body of a deceased person.

(a) S.I. 1969/1636 (1969 III, p. 5141).
(c) 1953 c. 36.

(b) S.I. 1971/149 (1971 I, p. 387).

SCHEDULE 2 (See Regulation 17)

PART I

MODIFICATIONS TO PART V OF THE TRANSPORT ACT 1968 IN RELATION TO NORTHERN IRELAND AND FOREIGN GOODS VEHICLES

Part V of the Act shall have effect:—

- (a) as if in section 61(1) the words “Subject to subsection (2) of this section” and paragraph (c) were omitted, and as if for the last paragraph of the subsection there were substituted the following paragraph:—
“For the purposes of paragraph (b) of this subsection different types of trailers may be distinguished in a licence and a maximum number may be specified in the licence for trailers of each type.”;
- (b) as if section 61(2), (3) and (4) were omitted;
- (c) as if for section 62(1) there were substituted the following subsection:—
“(1) A person applying for an operator’s licence with a view to enabling goods vehicles brought temporarily into Great Britain to be used shall apply to such licensing authority as the Secretary of State may from time to time direct and shall not at any time hold more than one such licence.”;
- (d) as if in section 62(2) paragraph (c) were omitted;
- (e) as if section 62(3) were omitted;
- (f) as if at the end of section 63(2) there were added the words “or notice of any application in respect of a vehicle brought temporarily into Great Britain.”;
- (g) as if in section 64(1) for the words from “whether the requirements” to the end of the subsection, there were substituted the words “whether the applicant satisfies the requirement that he is a fit and proper person to hold an operator’s licence, having regard in particular to his previous known conduct.”;
- (h) as if section 64(2), (4)(b) and (5) were omitted;
- (i) as if section 65 were omitted;
- (j) as if for section 67(2) there were substituted the following subsection:—
“(2) With a view to enabling goods vehicles brought temporarily into Great Britain to be used, an operator’s licence may be granted for any period not exceeding three months.”;
- (k) as if section 67(3) were omitted;
- (l) as if in section 67(4) for the words “(a) the application; and (b) any appeal under section 70 of this Act arising out of the application, are” there were substituted the words “the application is”;
- (m) as if section 67(5) were omitted;
- (n) as if in section 68(1) for paragraph (a) there were substituted the following paragraph:—
“(a) that additional vehicles be specified therein, or that the maximum number of trailers specified therein under paragraph (b) of section 61(1) of this Act be increased; or”;
and as if paragraph (c) were omitted;
- (o) as if in section 68(4) after sub-paragraph (c) there were added the following sub-paragraph:—
“or (d) where the application is in respect of a vehicle brought temporarily into Great Britain,”;

- (p) as if section 68(5) were omitted;
- (q) as if in section 69, in subsection (1)(a) the words "section 65 of this Act or" and the last paragraph of subsection (5) were omitted;
- (r) as if in section 70(2) for the words "on the ground that" to the end of the subsection there were substituted the words "from the refusal of an application to grant or vary an operator's licence in respect of a vehicle brought temporarily into Great Britain or from any direction given under sections 61(6) or 69(1) or (2) of this Act in respect of such a licence.";
- (s) as if at the end of section 89(1) there were added the following proviso:—
"Provided that in the case of vehicles brought temporarily into Great Britain the licensing authority may waive the payment of such fees either wholly or in part."

PART II

AMENDMENTS TO REGULATIONS IN RELATION TO NORTHERN IRELAND AND FOREIGN GOODS VEHICLES

1. The Goods Vehicles (Operators' Licences) Regulations 1969 shall have effect as if:—
 - (a) in Regulation 4 paragraphs (1) and (2) were omitted;
 - (b) in Regulation 14(1), for the words "and may elect" onwards, there were substituted the words:—
"at a place specified by the person requiring its production."
2. The Goods Vehicles (Operators' Licences) (Fees) Regulations 1971 shall have effect as if—
 - (a) in Regulation 3, for paragraph (2) there were substituted the following paragraph:—
"(2) Whenever a motor vehicle is specified in an operator's licence the holder of the licence shall pay a fee at the rate of £1 in respect of each motor vehicle so specified."; and
 - (b) paragraph (4)(a) of Regulation 3 and Regulation 4 were omitted.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations re-enact with amendments the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1970 and the amending Regulations set out in Regulation 2 of these Regulations. Accordingly these Regulations make special provision for Northern Ireland and foreign goods vehicles brought temporarily into Great Britain as respects operators' licences under Part V of the Transport Act 1968.

The principal change is in relation to Austrian, Czechoslovak, French, German, Hungarian, Italian and Yugoslav goods vehicles. Under the Regulations now revoked, these vehicles, when carrying a wide range of goods for hire or reward or for or in connection with a business, were exempted from s.60(1) of the Transport Act 1968 (which provides for users of certain goods vehicles to hold operators' licences) if permits or in certain cases own account documents were carried on the vehicles. The present Regulations as respects these vehicles now apply s.60(1) of the Transport Act 1968 with modifications so as to provide that, when the same range of goods is carried in circumstances that an operator's licence would be required, instead a permit or, in certain cases, an own account document must be carried. When the vehicle concerned is a motor vehicle the relevant document is to be carried on that vehicle and where it is a trailer it must normally be carried on the motor vehicle by which it is drawn. In certain circumstances where the trailer is a French or Italian goods vehicle, the necessary permit must be carried on that trailer.

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