

1987 No. 1149

ROAD TRAFFIC

The Goods Vehicles (Prohibitions) (Exemptions and Appeals) Regulations 1987

<i>Made</i> - - - -	<i>3rd July 1987</i>
<i>Laid before Parliament</i>	<i>15th July 1987</i>
<i>Coming into force</i>	<i>5th August 1987</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 57(10) and 58(3) and (6) of the Road Traffic Act 1972 (a), now vested in him (b), and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Prohibitions) (Exemptions and Appeals) Regulations 1987 and shall come into force on 5th August 1987.

Interpretation

2. In these Regulations—

“the 1972 Act” means the Road Traffic Act 1972;

“certifying officer” has the same meaning as in the Public Passenger Vehicles Act 1981 (c);

“prohibition” means a prohibition under section 57 of the 1972 Act;

“vehicle testing station” means a station provided by the Secretary of State under section 45(9), 50(3) or 58(5) of the 1972 Act.

Exemptions from section 57(9)(a) of the 1972 Act

3. The use of a goods vehicle on a road—

(a) solely for the purpose of submitting it by previous arrangement at a specified time on a specified date for an inspection at a vehicle testing station or such other place as shall have been agreed between the person proposing to carry out, and the person submitting the vehicle for, the inspection;

(b) in the course of an inspection for the purpose of—

(i) taking it to, or bringing it away from, any place where a part of the inspection is to be, or (as the case may be) has been, carried out; or

(ii) carrying out any part of the inspection, the person so using it being (in either case) a person carrying out the inspection; or

(c) within three miles measured in a straight line from the place where it is being, or has been, repaired solely for the purpose of its test or trial with a view to the removal of a prohibition,

(a) 1972 c.20.

(b) S.I. 1979/571 and 1981/238.

(c) 1981 c.14.

is exempted from section 57(9)(a) of the 1972 Act (which makes it an offence to drive, or cause or permit to be driven, a goods vehicle on a road in contravention of a prohibition).

Prescribed time and manner of appeals relating to prohibitions

4.—(1) This regulation applies to appeals to the Secretary of State under subsection (3) of section 58 of the 1972 Act (appeals against the refusal of a certifying officer to remove a prohibition).

(2) Every appeal to which this regulation applies shall be made within 14 days of the date on which the certifying officer refused to remove the prohibition in question.

(3) Every such appeal shall—

(a) be made in writing; and

(b) contain a statement of the grounds on which it is made,

and shall be lodged at the Goods Vehicle Centre, Welcombe House, 91–92 The Strand, Swansea, West Glamorgan SA1 2DH.

Revocation

5. The Goods Vehicles (Prohibitions) (Exemptions and Appeals) Regulations 1971(a) are hereby revoked.

Signed by authority of the Secretary of State.

Peter Bottomley
Parliamentary Under Secretary of State,
Department of Transport

3rd July 1987

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact, with changes, the Goods Vehicles (Prohibitions) (Exemptions and Appeals) Regulations 1971.

There are only drafting amendments in the provision (regulation 3) prescribing the exemptions from section 57(9)(a) of the Road Traffic Act 1972. In the provision (regulation 4) relating to appeals against a refusal to remove a prohibition, there are new provisions requiring the appeal to contain a statement of the grounds on which it is made, and that the appeal be lodged at the Goods Vehicle Centre, Swansea (instead of at a traffic area office).

(a) S.I. 1971/2020.

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