
STATUTORY INSTRUMENTS

1995 No. 2869

The Goods Vehicles (Licensing of Operators) Regulations 1995

PART VII

OTHER MATTERS

Holding companies and subsidiaries

30.—(1) A holding company may apply to [^{F1}a traffic commissioner]—

- (a) if it does not already hold a licence in respect [^{F2}of a particular traffic area,] for the issue of a licence [^{F3}in respect of that area]; or
- (b) if it already holds a licence in respect of that area, for a variation of its licence by a direction under section 17(1)(a),

which would have the effect, if the application were granted, of including in the licence to be issued to, or already held by, the holding company, goods vehicles in the lawful possession of a subsidiary of that company specified in the application.

(2) An application by a holding company under paragraph (1) shall, unless

- (a) the subsidiary is not the licence-holder; or
- (b) the licence or variation applied for by the holding company will not take effect until any licence held by the subsidiary has been surrendered or has otherwise terminated,

be accompanied by an application by the subsidiary for the variation of the licence held by the subsidiary by a direction under section 17(1)(b) for the removal therefrom of all or some of the goods vehicles authorised to be used thereunder, being the vehicles to which the application of the holding company relates.

(3) Where a holding company, on an application under paragraph (1) signifies to the traffic commissioner its desire that the provisions of this regulation should have effect as respects a subsidiary of that company, then, in relation to the application and to any licence granted to the holding company, or held by the holding company and varied, on that application, and to the use of any goods vehicles authorised to be used under any such licence, the 1995 Act and these Regulations shall have effect subject to the modifications specified in Schedule 2.

(4) The provisions of this regulation shall cease to have effect as respects a holding company and its subsidiary—

- (a) if the holding company gives notice to [^{F4}a traffic commissioner] that it desires that this regulation should, as from any date, cease to apply to the holding company and that subsidiary, as from that date; or
- (b) as from the date on which that subsidiary ceases to be a subsidiary of that holding company.

(5) Where by virtue of the provisions of paragraphs (1) to (3) a holding company holds a licence which includes goods vehicles in the lawful possession of a subsidiary of that company, and the holding company gives notice under paragraph (4)(a), then, in relation to any application by the

subsidiary for the issue of a licence in respect of all or any of those vehicles, section 10 shall have effect as if for sub-section (1) there were substituted the following sub-section—

“(1) [^{F5}A traffic commissioner] may publish in the prescribed manner notice of any application [^{F5}which is received] for an operator’s licence made by a company or other body corporate in pursuance of Regulations made under section 46 of this Act.”

(6) Where the provisions of this regulation cease to have effect as respects a holding company and its subsidiary by virtue of paragraph (4)(b) the company which was the holding company shall within 21 days of the event which caused the subsidiary to cease to be a subsidiary of that company—

- (a) notify [^{F6}a traffic commissioner], and
- (b) supply all material details of the event, and
- (c) return to [^{F7}a traffic commissioner] the licence and the discs relating to the motor vehicles authorised to be used thereunder,

and in so far as the holding company fails to satisfy those requirements the company which was the subsidiary company shall, on being so directed by [^{F7}a traffic commissioner], within 7 days of that direction supply the details, or return the licence and the discs, as the case may require.

(7) In a case where the applicant for, or the holder of, a standard licence is a holding company and the goods vehicles used, or to be used, under the licence belong to, or are in the possession of, a subsidiary of that holding company, the provisions of these Regulations apply as if—

- (a) the road transport undertaking and any [^{F8}establishment and any] operating centre of the subsidiary were the road transport undertaking and an [^{F8}establishment or] operating centre of the holding company;
- (b) for purposes of, or relating to, the reputation and financial standing of the holding company, the activities, relevant convictions and financial resources of the subsidiary were activities, convictions and resources of the holding company; and
- (c) in relation to a transport manager, his employment by the subsidiary were employment by the holding company.

[^{F9}(8) In this regulation, “road transport undertaking” means an undertaking that involves the use of a goods vehicle authorised to be used under an operator’s licence.]

Textual Amendments

- F1** Words in reg. 30(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F2** Words in reg. 30(1)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F3** Words in reg. 30(1)(a) inserted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F4** Words in reg. 30(4)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F5** Words in reg. 30(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. 2** (with arts. 1(3), 2, 7)
- F6** Words in reg. 30(6) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F7** Words in reg. 30(6)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

- F8** Words in reg. 30(7)(a) inserted (5.10.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2017 \(S.I. 2017/874\)](#), regs. 1(1), **7**
- F9** [Reg. 30\(8\) inserted \(17.3.2022\) by The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **63**
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Commencement Information

- I1** Reg. 30 in force at 1.1.1996, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations 1995, Section 30.