
STATUTORY INSTRUMENTS

1995 No. 3000

ROAD TRAFFIC

The Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995

Made - - - - - *17th November 1995*
Laid before Parliament *23rd November 1995*
Coming into force - - - *1st January 1996*

The Secretary of State for Transport, in exercise of the powers conferred by sections 45(1), 57(1) and 58(1) of the Goods Vehicles (Licensing of Operators) Act 1995⁽¹⁾ and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 57(12) of that Act and with the Council on Tribunals in accordance with section 8 of the Tribunals and Inquiries Act 1992⁽²⁾, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995 and shall come into force on 1st January 1996.

Interpretation

- 2.—(1) In these Regulations, unless the context otherwise requires, any reference to—
- (a) a numbered section is a reference to the section bearing that number in the Goods Vehicles (Licensing of Operators) Act 1995,
 - (b) a numbered regulation is a reference to the regulation bearing that number in these Regulations,
 - (c) a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which the reference appears, and
 - (d) a numbered Part or numbered column or numbered fee is a reference to the Part, column or fee bearing that number in the Schedule to these Regulations.

(2) In these Regulations, unless the context otherwise requires the following expressions shall have the same meanings as in the Goods Vehicles (Licensing of Operators) Regulations 1995⁽³⁾—

(1) 1995 c. 23.
(2) 1992 c. 53.
(3) S.I. 1995/2869.

“application for a licence”, “application for a variation of a licence”, “application” and “licence”.

Fees

3.—(1) Subject to the subsequent provisions of these Regulations, in relation to a fee number in column 1 of Part I the fee prescribed as regards the subject matter specified in column 2 is the fee specified in relation to that fee number in column 3, and is payable within the time specified in column 4.

(2) In addition to the fee prescribed in relation to fee number (ii) in Part I, a fee based on the number of motor vehicles specified in the licence shall be paid in accordance with the specifications in columns 3 and 4 appropriate to fee number (v) in Part II.

(3) In addition to the fee prescribed in relation to fee number (iii) in Part I, a fee based on the number of motor vehicles specified in the licence shall be paid in accordance with the specifications in columns 3 and 4 appropriate to fee number (vi) in Part II.

(4) In addition to the fee prescribed in relation to fee number (iv) in Part I, a fee based on the number of motor vehicles specified in the licence shall be paid in accordance with the specifications in columns 3 and 4 appropriate to fee number (vii) in Part II.

(5) The period for which the fee is payable in relation to fee numbers (v) and (vi) in Part II is 5 years unless the licence-holder elects, before the licence is issued or continued in force, to pay on an annual basis.

(6) The licence-holder may not revoke his election under paragraph (5) earlier than 30 working days before the time when fee number (vi) in Part II would have been due had that election not been made.

(7) If after a licence has been issued an additional motor vehicle is authorised under section 5(6) to be used or an additional motor vehicle is added to the licence by a variation under section 17, a further fee shall be payable in respect of that motor vehicle and such fee shall be—

- (a) calculated in accordance with the applicable charge in column 3 of Part II in relation to fee numbers (v) and (vi), and
- (b) shall be paid before the authorisation is given or within 15 working days of the grant of the application for variation, as the case may be.

(8) If the traffic commissioner arranges with the licence holder for administrative purposes to treat a licence as if it were two or more licences, then in relation to fee numbers (ii), (iii) and (iv) in Part I and fee numbers (v), (vi) and (vii) in Part II the fees shall be calculated as if these were two or more licences.

Refunds of fees payable in respect of specified motor vehicles

4.—(1) If a licence is revoked, suspended or curtailed under sections 26(1) or 27(1) or surrendered or otherwise terminated under the 1995 Act or other enactment, then a sum paid in respect of fee numbers (v) and (vi) in Part II, shall be refunded in respect of—

- (a) in the case of a suspended licence, each complete period of 12 months during which the licence is suspended,
- (b) in the case of a licence where curtailment involves a reduction in any maximum number of motor vehicles specified under section 6, as respects the number of motor vehicles reduced, each complete period of 12 months which has not begun at the date of curtailment,
- (c) in any other case, each period of 12 months which have not begun at the date of termination.

(2) If the licence holder ceases to use under the licence—

(a) 10 or more of the motor vehicles which have been specified in the licence, or
(b) a minimum of 20 per cent of the motor vehicles which have been specified in the licence,
then, subject to paragraphs (3) and (4), a refund of sums paid in respect of fee numbers (v) and (vi)
in Part II in relation to those vehicles shall be made.

(3) The payment of a refund under paragraph (2) shall only be made after—

- (a) an application in writing for that refund has been made to the traffic commissioner, and
- (b) the traffic commissioner has under section 17(1)(b) directed that the motor vehicles for
which that refund is claimed cease to be specified in the licence, and
- (c) the traffic commissioner has under section 17(1)(b) directed that the maximum number of
motor vehicles which shall be specified in the licence for the purpose of section 6 shall be
reduced by at least the same number of motor vehicles for which a refund is being sought.

(4) A refund due under paragraph (2) shall only be made in respect of payments made for one or
more periods of 12 months which have not begun at the time that all the conditions in paragraph (3)
have been satisfied, and for the purposes of calculating the amount which will be refunded under
paragraphs (1) or (2) the motor vehicle or vehicles for which a refund is sought shall be treated
as if they were at the time of the application under paragraph (3)(a) the motor vehicle or vehicles
specified as the first of the motor vehicles on the licence.

Credit for unused motor vehicle spaces

5.—(1) If a traffic commissioner varies a licence by directing that one or more motor vehicles
shall cease to be specified in it, and at the same time or thereafter directs that one or more other motor
vehicles shall be specified in that licence, then, in so far as the number of motor vehicles specified in
the licence is not greater than the number specified in the licence before the variations were made,
a further fee shall not be payable under regulation 3(7).

(2) If a refund under regulation 4(2) is made then, for the purposes of paragraph (1), the number of
motor vehicles specified in the licence before the variation shall be taken to be the number specified
in that licence after that refund was made.

Signed by authority of the Secretary of State for Transport

17th November 1995

Steven Norris
Parliamentary Under Secretary of State
Department of Transport

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

SCHEDULE

Regulation 3

PART I

1 Fee Number	2 Subject matter of charge	3 Fee	4 Time fee is payable
(i)	an application for a licence or an application for the variation of a licence other than in the cases of— (a) a variation from a restricted licence to a standard licence under section 17(1)(j), or (b) a variation of a standard licence which covers national transport operations only to a standard licence which covers both international and national transport operations under section 17(1)(k)	£160	with the application
(ii)	fee for the issue of a licence	£250	within the period of 15 working days beginning with the date of grant of the application for a licence
(iii)	fee for the continuation in force of a licence	£250	before the end of the month which precedes the date of expiry of a period of 5 years, beginning with the date of either the issuing of the licence or the most recent 5 year anniversary of that date, whichever is the later

1 Fee Number	2 Subject matter of charge	3 Fee	4 Time fee is payable
(iv)	interim licence under section 24(1) or interim direction under section 25(1) other than in cases of an interim direction to vary— (a) a restricted licence to a standard licence, or (b) a standard licence which covers national transport operations only to a standard licence which covers both international and national transport operations	£42	within the period of 15 working days beginning with the date of decision to grant the request for an interim licence or interim direction

PART II

1 Fee Number	2 Subject matter of charge	3 Fee	4 Time fee is payable
(v)	additional charge for the motor vehicles specified in the licence which is issued or varied	either, in a case where an election has not been made under regulation 3(5), £7 per motor vehicle for each 3 months (or part of 3 months) in the period for which the fee is payable, or in a case where an election has been made under regulation 3(5), £8.50 per motor vehicle for each 3 months (or part of 3 months) in the period for which the fee is payable	within 15 working days beginning with the date of the grant of the application, and where annual payments are applicable at the end of the month preceding the anniversary of the date of issue until the fee for continuation in force of the licence is due

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

1 Fee Number	2 Subject matter of charge	3 Fee	4 Time fee is payable
(vi)	additional charge for the motor vehicles specified in the licence which is continued in force	either, in a case where an election has not been made under regulation 3(5), £7 per motor vehicle for each 3 months (or part of 3 months) in the period for which the fee is payable, or in a case where an election has been made under regulation 3(5), £8.50 per motor vehicle for each 3 months (or part of 3 months) in the period for which the fee is payable	before the end of the month which precedes the date of expiry of a period of 5 years, beginning with the date of either the issuing of the licence or the most recent 5 year anniversary of that date, whichever is the later, and where annual payments are applicable at the end of the month preceding the anniversary of the date of issue until the next fee for continuation in force of the licence is due
(vii)	additional charge for motor vehicles specified under an interim licence under section 24(1) or an interim direction under section 25(1)	£10 per motor vehicle	within the period of 15 working days beginning with the date of the decision to grant the request for an interim licence or interim direction as the case may be

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations replace the provisions in regulation 35 of the Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984 (SI 1984/176) as amended which have been revoked by the Goods Vehicles (Licensing of Operators) Regulations 1995 (S.I.1995/2869), and impose a new fee structure.

2. Regulation 3 and the Schedule set out what fees shall be payable and when those fees shall become due. Regulation 3(8) enables charges to be made by the traffic commissioner in accordance with an administrative arrangement made with the licence-holder.

3. Regulation 4 provides for unused vehicle fees covering 12 month periods to be refunded in specified circumstances. These cover surrender, suspension, curtailment or revocation for

disciplinary reasons, as well as the voluntary reduction by the licence-holder of the number of specified vehicles by 10 or more or by 20 per cent.

4. Regulation 5 provides for a licence holder to transfer vehicle fees paid from a vehicle which is removed from the licence to one which is added to it.

5. The changes are as follows:

Old Fee		New Fee	
		Fee with application for licence	£160
Fee for the issue of a licence	£185	Fee for the issue of a licence	£250
Fee for issue of a publishable variation	£185	Fee with application for publishable variation	£160
		Fee for issue of an interim licence	£42
		Fee for continuation in force of a licence	£250
Additional fee for motor vehicles specified on the licence (paid 5 yearly in advance)	£8.50 per vehicle per quarter	Additional fee for motor vehicles specified on the licence	£7 per motor vehicle per quarter (if paid 5 yearly in advance) £8.50 per motor vehicle per quarter (if paid annually in advance)
Additional fee for motor vehicles specified on an interim licence	£10 per vehicle	Additional fee for motor vehicles specified on an interim licence	£10 per vehicle