

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, amend Schedule 3 to the Public Passenger Vehicles Act 1981 to implement Council Directive [98/76/EC](#) of 1st October 1998 (O.J. L277 14th October 1998 page 17) amending Council Directive [96/26/EC](#) of 29th April 1996 on admission to the occupation of road passenger transport operator in national and international transport operations (O.J. No. L124 23rd May 1996 page 1).

The principal changes to the 1981 Act made by the Regulations are as follows:

1) Paragraph 1 of Schedule 3 requires the traffic commissioners to determine that an individual is not of good repute if he has—

a) more than one conviction of an offence for which a sentence of imprisonment of more than 3 months, a fine exceeding level 4 on the standard scale or a community service order is imposed (“a serious offence”); or

b) been convicted of offences in or outside the United Kingdom relating to road transport, and particularly in this context offences concerning the drivers hours rules, the weights or dimensions of a commercial vehicle, road or vehicle safety, protection of the environment or professional liability (“road transport offences”).

2) Paragraph 2 of Schedule 3 specifies the minimum capital and reserves that must be available to an applicant for, or holder of, a PSV operator’s licence authorising the use of vehicles for international operations if he is to be considered to be of appropriate financial standing.

3) Paragraphs 6 and 7 of Schedule 3 specify that an individual shall only be regarded as professionally competent if he has passed a written examination (which may be supplemented by an oral examination) which demonstrates knowledge corresponding to the level of training provided for in the subjects listed in the new Annex I to Council Directive [96/26](#).

4) A new section 16A will enable the traffic commissioner to insert a condition requiring the PSV licence holder to inform him of any changes which could affect the fulfilment of the requirements of good repute, financial standing and professional competence.

Regulation 6 contains transitional provisions and savings.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Public Service Vehicle Operators (Qualifications) Regulations 1999. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2011/2632 reg. 3\(c\)](#)