
STATUTORY INSTRUMENTS

2004 No. 462

ROAD TRAFFIC

The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2004

<i>Made</i>	- - - -	<i>26th February 2004</i>
<i>Laid before Parliament</i>		<i>27th February 2004</i>
<i>Coming into force</i>	- -	<i>19th March 2004</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 57(1), (6), (7) and (8) of the Goods Vehicle (Licensing of Operators) Act 1995⁽¹⁾, and after consulting with representative organisations in accordance with section 57(12) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2004 and shall come into force on 19th March 2004.

Amendment of the principal Regulations

2.—(1) The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996⁽²⁾ are amended as follows.

- (2) In regulations 4, 5, 6 and 7, for “regulations 8 to 30”, substitute “regulations 8 to 30E”.
- (3) In regulation 31, for “regulations 4 to 30”, substitute “regulations 4 to 30E”.
- (4) For regulation 13 (exemption for Czech goods vehicles), substitute—

“Exemption for Czech goods vehicles

13.—(1) In this regulation—

“Czech goods vehicle” means a goods vehicle which—

- (a) is owned or operated by a person who is authorised under the law of the Czech Republic to engage in the international carriage of goods by road for hire or reward or on his own account;

(1) 1995 c. 23.
(2) S.I. 1996/2186.

- (b) in the case of a motor vehicle, is registered in the Czech Republic;
- (c) has been temporarily brought into Great Britain; and
- (d) 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.

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Czech Republic on international road transport signed on 27th of May 1998⁽³⁾ comes into force.

(2) Where a Czech goods vehicle is not used at any time during the journey upon which it is engaged for the carriage of goods loaded at one place in the United Kingdom and delivered at another place in the United Kingdom—

- (a) regulations 4, 5, 6 and 7 shall apply to the Czech goods vehicle as they apply to a foreign goods vehicle; and
- (b) section 2(1) of the Act shall not apply to the use in Great Britain of the Czech goods vehicle for the carriage of any goods.

(3) On and after the relevant date, where a Czech goods vehicle is used at any time for the carriage of goods loaded at one place in the United Kingdom and delivered at another place in the United Kingdom section 2(1) of the Act shall have effect as set out in Schedule 5.”

(5) For regulation 25 (exemption for Slovak goods vehicles) substitute—

“Exemption for Slovak goods vehicles

25.—(1) In this regulation—

“Slovak goods vehicle” means a foreign goods vehicle which is owned or operated by a person who is authorised under the law of the Slovak Republic to engage in the international carriage of goods by road for hire or reward or on his own account and which, in the case of a motor vehicle, is registered in the Slovak Republic; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Slovak Republic on international road transport signed on 11th of January 2001⁽⁴⁾ comes into force.

(2) On and after the relevant date, section 2(1) of the Act shall not apply to the use in Great Britain of a Slovak goods vehicle for the carriage of any goods.”

(6) After regulation 30, insert—

“Exemption for Macedonian goods vehicles

30A.—(1) In this regulation—

“Macedonian goods vehicle” means a foreign goods vehicle which is owned or operated by a person who is authorised under the law of Macedonia to engage in the international carriage of goods by road for hire or reward or on his own account and which, in the case of a motor vehicle, is registered in Macedonia; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Macedonian Government on international road transport signed on 18th of June 1996⁽⁵⁾ comes into force.

⁽³⁾ Cm. 4287.

⁽⁴⁾ Cm. 5479.

⁽⁵⁾ Cm. 3484.

(2) On and after the relevant date, section 2(1) of the Act shall not apply to the use in Great Britain of a Macedonian goods vehicle for the carriage of any goods.

Exemption for Moldovan goods vehicles

30B.—(1) In this regulation—

“Moldovan goods vehicle” means a foreign goods vehicle which is owned or operated by a person who is authorised under the law of the Republic of Moldova to engage in the international carriage of goods by road for hire or reward or on his own account and which, in the case of a motor vehicle, is registered in the Republic of Moldova; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Moldova on international road transport signed on 15th of October 1996⁽⁶⁾ comes into force.

(2) On and after the relevant date, section 2(1) of the Act shall not apply to the use in Great Britain of a Moldovan goods vehicle for the carriage of any goods.

Exemption for Georgian goods vehicles

30C.—(1) In this regulation—

“Georgian goods vehicle” means a foreign goods vehicle which is owned or operated by a person who is authorised under the law of the Republic of Georgia to engage in the international carriage of goods by road for hire or reward or on his own account and which, in the case of a motor vehicle, is registered in the Republic of Georgia; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Georgia on international road transport signed on 13th of November 1997⁽⁷⁾ comes into force.

(2) On and after the relevant date, section 2(1) of the Act shall not apply to the use in Great Britain of a Georgian goods vehicle for the carriage of any goods—

- (a) specified in paragraphs 4, 5, 9, 21, 29, 30, 31 and 32 of Schedule 2; or
- (b) on the owner’s or operator’s own account between the territories of Great Britain and the Republic of Georgia.

(3) In relation to a Georgian goods vehicle used for the carriage of goods in a case to which paragraph (2) does not apply, section 2(1) of the Act shall have effect as set out in Schedule 5.

Exemption for Croatian goods vehicles

30D.—(1) In this regulation—

“Croatian goods vehicle” means a foreign goods vehicle which is owned or operated by a person who is authorised under the law of the Republic of Croatia to engage in the international carriage of goods by road for hire or reward or on his own account and which, in the case of a motor vehicle, is registered in the Republic of Croatia; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the

⁽⁶⁾ Cm. 3488

⁽⁷⁾ Cm. 4016.

Republic of Croatia on international road transport signed on 22nd of February 1999⁽⁸⁾ comes into force.

(2) On and after the relevant date, section 2(1) of the Act shall not apply to the use in Great Britain of a Croatian goods vehicle for the carriage of any goods.

Exemption for Slovenian goods vehicles

30E.—(1) In this regulation—

“Slovenian goods vehicle” means a foreign goods vehicle which is owned or operated by a person who is authorised under the law of the Republic of Slovenia to engage in the international carriage of goods by road for hire or reward or on his own account and which, in the case of a motor vehicle, is registered in the Republic of Slovenia; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Slovenia on international road transport signed on 30th of May 2000⁽⁹⁾ comes into force.

(2) On and after the relevant date, section 2(1) of the Act shall not apply to the use in Great Britain of a Slovenian goods vehicle for the carriage of any goods.”

(7) In Schedule 2, after paragraph 30 insert—

“**31.** Objects and works of art for exhibitions.

32. Samples of objects and materials exclusively for publicity or information purposes.”

Signed by authority of the Secretary of State

26th February 2004

David Jamieson
Parliamentary Under Secretary of State
Department for Transport

⁽⁸⁾ Cm. 4834.

⁽⁹⁾ Cm. 4835.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996 (the “Principal Regulations”).

Regulation 2 modifies the requirements of The Goods Vehicles (Licensing of Operators) Act 1995 (“the 1995 Act”) and the Principal Regulations as to operator’s licences for certain foreign goods vehicle operations.

An exemption from the requirement in section 2(1) of the 1995 Act to obtain an operator’s licence is provided for the following goods vehicles: Macedonian (new regulation 30A), Moldovan (new regulation 30B), Croatian (new regulation 30D) and Slovenian (new regulation 30E).

A new regulation 13 of the Principal Regulations is substituted which requires goods vehicles registered in the Czech Republic to be owned or operated by a carrier authorised to engage in the international carriage of goods under the laws of the Czech Republic in order to qualify for the exemption from section 2(1) of the 1995 Act. A similar amendment is made to regulation 25 of the Principal Regulations, regarding Slovak goods vehicles. In addition, if a permit has been granted by the Secretary of State, a goods vehicles registered in the Czech Republic, and operated by a carrier authorised in the Czech Republic, is permitted to carry goods from one place in the United Kingdom to another place in the United Kingdom (i.e. undertake cabotage).

An exemption from the requirement in section 2(1) of the 1995 Act to obtain an operator’s licence is provided for Georgian goods vehicles in the circumstances set out in new regulation 30C(2). Regulation 2(7) adds two new categories of goods to Schedule 2 of the Principal Regulations relating to this exemption. In other circumstances, Georgian goods vehicles are granted an exemption from the requirements of section 2(1) of the 1995 Act only when a permit has been granted by the Secretary of State.