
STATUTORY INSTRUMENTS

2010 No. 804

The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2010

Amendments concerning EU cabotage rules

2.—(1) The Principal Regulations are amended as follows.

(2) In regulation 3 (interpretation), in paragraph (1)—

(a) for the definition of “Community cabotage authorisation”, substitute—

““[Council Regulation \(EEC\) No. 3118/93](#)” means [Council Regulation \(EEC\) No. 3118/93](#) of 25th October 1993 laying down conditions under which non-resident carriers may operate national road haulage services within a Member State⁽¹⁾ as it has effect with [Regulation \(EC\) No. 1072/2009](#) of the European Parliament and of the Council of 21st October 2009 on common rules for access to the international road haulage market⁽²⁾”; and

(b) in paragraph (d) of the definition of “foreign goods vehicle”, for the words “except in the case of use under a Community cabotage authorisation”, substitute “(except in the case of use in a cabotage operation permitted under [Council Regulation \(EEC\) No. 3118/93](#))”.

(a) (3) (a) In the heading immediately preceding regulation 7 (exemption for foreign goods vehicles, etc.), for the words “with Community cabotage authorisations”, substitute “being used to carry out Community cabotage operations”.

(b) In regulation 7, for paragraph (1), substitute—

“(1) Notwithstanding anything in regulations 8 to 30E, section 2(1) of the Act shall not apply in the case of a foreign goods vehicle being used to carry out a cabotage operation consisting of national carriage for hire or reward on a temporary basis in Great Britain in accordance with the provisions of [Council Regulation \(EEC\) No. 3118/93](#).”.

(4) In regulation 3 (interpretation), in paragraph (1)—

(a) omit the definition of “[Council Regulation \(EEC\) No. 3118/93](#)”, as inserted by paragraph (2)(a) of this Regulation;

(b) omit the definition of “[Council Regulation No. 881/92](#)(3)”;

(c) in paragraph (d) of the definition of “foreign goods vehicle”, for the words “(except in the case of use in a cabotage operation permitted under [Council Regulation \(EEC\) No. 3118/93](#))”, as inserted by paragraph (2)(b) of this Regulation, substitute—

“(except in the case of use in a cabotage operation permitted under [Regulation \(EC\) No. 1072/2009](#))”;

(d) for the definition of “international carriage”, substitute—

(1) OJ No. L 279, 12.11.93, p.1. The instrument has been textually amended by [Council Regulation \(EC\) No. 3315/94](#) of 22nd December 1994 (OJ No. L350, 31.12.94, p.9) and by [Regulation \(EC\) No. 484/2002](#) of 1st March 2002 (OJ No. L76, 19.3.2002, p.1).

(2) OJ No. L300, 14.11.2009, p.72.

(3) OJ No. L 95, 09.04.1992, p.1.

““international carriage” has the meaning which it bears in Article 2 of Regulation (EC) No. 1072/2009;”.

(e) at the end of the definition of “Northern Ireland goods vehicles”, omit “and”; and

(f) after the definition of “Northern Ireland goods vehicles”, insert—

““Regulation (EC) No. 1072/2009” means Regulation (EC) No. 1072/2009 of the European Parliament and of the Council of 21st October 2009 on common rules for access to the international road haulage market; and”.

(5) In regulation 7(1), for the words “Council Regulation (EEC) No. 3118/93”, substitute “Regulation (EC) No. 1072/2009”.