EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport).

These Regulations prescribe—

1. The form in which an applicant for an " A " or " B " carrier's licence under the Road and Rail Traffic Act, 1933, and the form in which and the time within which the holder of such a licence or of a corresponding defence permit issued under Regulation 72 of the Defence (General) Regulations, 1939, in force at the 6th August, 1947, may apply to the licensing authority to specify a point in his area which is to be treated as the operating centre of the authorised vehicles, and the particulars to be embodied in the forms.

2. The time within which the holder of such a licence granted before the 28th November, 1946, may if the premises from which an authorised vehicle was normally used immediately before that date differs from the premises specified in the holder's application, give notice thereof to the licensing authority for the purpose of having those premises or some point in the area of the licensing authority treated as the operating centre of the vehicle, the form in which the notice is to be given and the particulars to be embodied therein.

3. The form in which the decision of the licensing authority is to be recorded and notified.

The Goods Vehicles (Change of Operating Centre) Regulations, 1948

1948 No. 2014

Made - - - -	*1st September,* 1948
Laid before Parliament	*7th September,* 1948
Coming into Operation	*1st October,* 1948

The Minister of Transport in exercise of the powers conferred upon him by subsection (6) of section 58 of the Transport Act, 1947, and of all other powers him enabling hereby makes the following Regulations:— 10 & 11 Geo. 6. c. 49.

1. The holder of an A licence or a B licence may apply for the operating centre of any vehicle authorised to be used under such licence to be changed, either temporarily or otherwise, during the currency of the licence under which it is authorised to be used.

2. Every such application shall be made in duplicate in the form specified in the First Schedule to these Regulations and shall embody such particulars as are required by that form.

3. Every such application shall be made to the Licensing Authority for Goods Vehicles (hereinafter referred to as " the licensing authority ")

in whose area the proposed operating centre is situate and if the proposed operating centre is not within the area of the licensing authority in whose area the existing operating centre of the vehicle is situate a copy of the application (so marked) shall be sent to the last mentioned licensing authority at the same time as the application is made.

4. The licensing authority to whom any such application is made, not being such an application as is referred to in Regulation 8 hereof, shall cause to be issued, as occasion may require, a statement (hereinafter referred to as "Applications and Decisions") which shall contain (unless previously notified therein):—

(*a*) notice of such application;

(*b*) if the licensing authority decides to hold a Public Inquiry to consider the application as hereinafter provided, the date (not being less than fourteen days after the issue of the statement unless the licensing authority for special reasons otherwise determines) on which and the place at which he proposes to hold such Inquiry.

Copies of "Applications and Decisions" may be inspected at the office of the licensing authority by whom it was issued and at such other places (if any) as he may determine and copies shall be supplied to any person requiring them at a price not exceeding one shilling for each copy.

5. The licensing authority may, after considering any objections which may be made to such an application as is mentioned in Regulation 4 of these Regulations, in his discretion grant or refuse the application in respect of all or any of the vehicles to which the application relates and may if he thinks fit hold a Public Inquiry to consider the application.

6. Objections to such an application as is mentioned in Regulation 4 of these Regulations may be made by persons who are already providing facilities, whether by means of road transport or any other kind of transport, for the carriage of goods for hire or reward in the district or between the places which the applicant would be authorised to serve if the application were granted, on the ground that suitable transport facilities in that district or between those places are, or if the application were granted would be, either generally or in respect of any particular type of vehicles, in excess of requirements.

7. Every objection in respect of an application shall be in writing in the form set out in the Second Schedule to these Regulations. Every such objection shall be sent to the licensing authority to whom the application was made, so as to reach him not later than fourteen days after notice of the application has appeared in "Applications and Decisions". A copy of every such objection shall be sent by the objector to the applicant at the same time as it is sent to the licensing authority. The licensing authority may at his discretion consider objections notwithstanding that the requirements of this Regulation have not been complied with.

8. If an application is for a change of operating centre to have effect for a period not exceeding three months—

(*a*) for a seasonal business;

(*b*) for the execution of a particular piece of work; or

(*c*) for a purpose of limited duration,

Regulations 4 to 7 of these Regulations shall not apply and the licensing authority to whom the application is made may in his discretion after making such enquiries, if any, as he thinks fit grant or refuse the application in respect of all or any of the vehicles to which the application relates.

9. The decision of the licensing authority upon any application duly made shall be recorded on both forms by which the application is made and the applicant shall be notified of the decision by the return to him of one of the said forms. The licensing authority shall include in "Applications and Decisions" his decision upon any application whether or not notice of such application was included in "Applications and Decisions".

10. When an application is granted by the licensing authority in respect of any vehicle, the proposed operating centre of the vehicle shall thereupon become the operating centre of that vehicle in place of the existing operating centre either temporarily or otherwise in accordance with the application.

11. The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

12. These Regulations shall come into operation on the first day of October, 1948, and may be cited as "The Goods Vehicles (Change of Operating Centre) Regulations, 1948".

Given under the Official Seal of the Minister of Transport this first day of September, 1948.

(L.S.)

Alfred Barnes,

The Minister of Transport.

FIRST SCHEDULE

Form G.V.N. 4.

3108

THE GOODS VEHICLES (CHANGE OF OPERATING CENTRE) REGULATIONS, 1948

Application by the holder of an "A" or "B" Carrier's Licence for change of Operating Centre

To the Licensing Authority for Goods Vehicles for the.....Traffic Area.

In pursuance of the Goods Vehicles (Change of Operating Centre) Regulations, 1948, I/we hereby apply to you to change the operating centre(s) of the authorised vehicles, particulars of which are respectively given in the first and second columns of the Schedule hereto, from the existing operating centre(s) respectively indicated in the fourth column thereof against those vehicles, to the proposed operating centre(s) respectively indicated in the fifth column against those vehicles.

* *Strike out the words which do not apply.*

*(A) I desire this change to have effect for the currency of the licence.

*(B) I desire this change to have effect until .....

*(C) I desire this change to have effect for a period not exceeding 3 months for the following purpose(s) { (i) *for a seasonal business. (ii) *for the execution of a particular piece of work (iii) *for a purpose of limited duration. } details of which are given overleaf

Signature of Applicant or person duly authorised by him to sign.....

Status of person signing..... Date.....

Name of Applicant (BLOCK CAPITALS).....

Address .....

SCHEDULE

1. Index Mark and Registration Number	2. Unladen Weight	3. Licence No. and description ("A", "B" or "A Contract")	4. Existing Operating Centre. (If this was specified by the Licensing Authority in response to a request made under Section 58 (3), 58 (4) or 58 (5) of the Act give the date of the record of the Decision of the Licensing Authority.)	5. Proposed Operating Centre. (Alternatives may be given). Give reasons overleaf	6. For use by the Licensing Authority

FOR USE BY THE LICENSING AUTHORITY

Record of the decision of the Licensing Authority

The Licensing Authority for Goods Vehicles for the.....Traffic Area having considered the above application,

[grants the application as respects the vehicles against which the word "Approved" is entered in the sixth column of the Schedule to the Application.]

The change will have effect :—[for the currency of the licence.]

[until.....]

[until..... and only for the purposes stated in the application.]

[except as aforesaid refuses the application.]

[refuses the application.]

Dated.....

Signature of Licensing Authority for Goods Vehicles for the.....Traffic Area. .....

Reasons why the proposed operating centre indicated in Column 5 overleaf above is desired

REVERSE OF FORM G.V.N. 4

I.M. and Reg. No. of Vehicle	Reasons

NATIONAL TRANSPORT

SECOND SCHEDULE

THE GOODS VEHICLES (CHANGE OF OPERATING CENTRE) REGULATIONS, 1948

NOTICE OF OBJECTION to the application for change of operating centre made by ..... and numbered ..... in Applications and Decisions No. ..... dated .....

To the Licensing Authority for Goods Vehicles for the ..... Traffic Area.

I/We, ..., already providing transport for the carriage of goods

*in the district of .....

*between ..... and .....

†by virtue of Road and Rail Traffic Act (Public carriers' " A ") (Limited carriers' " B ") Licence No. .....

†under powers conferred upon the British Transport Commission by the Transport Act, 1947,

‡and in particular the following facilities .....

.....

object to the above application on the ground that

§(1) suitable transport facilities (namely, the services of the present objector and of .....) are already in excess of requirements.

§(2) suitable transport facilities (namely, the services of the present objector and of .....) would, if this application were granted, be in excess of requirements.

My/Our objection is particularly directed to the proposed change in so far as it would permit:

A copy of this Objection has been sent to the Applicant.

Signature of Objector .....

Address .....

Date .....

* One of these may be omitted.
† Omit if inapplicable.
‡ Insert here particulars of facilities provided by objector.
§ Omit one of these paragraphs.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations make provision whereby the holder of an " A " or " B " carrier's licence may apply for the operating centre of a vehicle to be changed, either temporarily or permanently, and prescribe the procedure to be followed in connection with the application, the form on which the application is to be made and the decision of the Licensing Authority recorded and notified, and the form on which objections to the application shall be made.