ROAD TRAFFIC AND VEHICLES

GOODS VEHICLES

1952 No. 381

The Goods Vehicles (Licences and Prohibitions) Regulations, 1952

Made - - - -	*25th February*, 1952
Laid before Parliament	*27th February*, 1952
Coming into Operation	*1st April*, 1952

ARRANGEMENT OF REGULATIONS

Regulation.

1. Commencement, Short Title and Revocation.
2. Penalty.
3. Interpretation.
4. Definitions.
5. Applications for Licences.
6. Signing of Applications.
7. Date of submission of Applications.
8. Copies of Applications and Licences available for inspection.
9. Statement to be issued by the Licensing Authority.
10. Notice of Objections.
11. Adjournment of Inquiries.
12. Identification of Authorised Vehicles.
13. Return of Licences and Certificates on Variation.
14. Fees.
15. Temporary replacement of Authorised Vehicles.
16. Dates of Expiry of Licences.
17. Notification of Change of Address.
18. Production of Licences for examination.
19. Issue of copies of Licences and Certificates.
20. Return of Licences and Certificates to the Licensing Authority.
21. Vehicles passing out of possession of Holder of Licence.
22. Death, Bankruptcy, etc., of Holder of Licence.
23. Appeals to the Transport Tribunal.
24. Prohibitions of use of Goods Vehicles.
25. Computation of Time.
26. Currency period of Carriers' Licences.

Schedules.

First.—Regulations revoked.
Second.—Forms of Application.
Third.—Particulars of Interest (A and B Licences).
Fourth.—Notice of Objection.
Fifth.—Form of Prohibition of use of Vehicle.

The Minister of Transport in exercise of the powers conferred upon him by sections 3, 14, 15, 21, 25 and 35 of the Road and Rail Traffic Act, 1933(a), and by section 2 of the Road Traffic Act, 1937(b), and of all other powers him enabling in that behalf hereby makes the following Regulations:—

Commencement, Short Title and Revocation

1.—(1) These Regulations shall come into operation on 1st April, 1952, and may be cited as "The Goods Vehicles (Licences and Prohibitions) Regulations, 1952".

(2) The Regulations specified in the First Schedule to these Regulations are hereby revoked without prejudice, however, to the validity of anything done thereunder or to any liability incurred in respect of any act or omission before the date of the coming into operation of these Regulations; and any application made, licence granted, notice or direction given or certificate or other document made or issued before the said date shall, if in force immediately before that date, continue in force and have effect as if made, granted or issued under the corresponding provision of these Regulations.

Penalty

2. If any person acts in contravention of or fails to comply with any of these Regulations and such contravention or failure is not made an offence under any provision of Part I of the Act other than subsection (3) of section 35 thereof, he shall for each offence be liable to a fine not exceeding £5.

Interpretation

3. The Interpretation Act, 1889(c), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Definitions

4. In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"application" means an application for a licence and includes an application for the variation of a licence;

"authorised vehicle" means any vehicle authorised to be used under a licence;

"certifying officer" means a certifying officer appointed under section 69 of the Road Traffic Act, 1930(d);

"Contract A licence" means an A licence granted in accordance with the provisions of subsection (1) of section 7 of the Act;

"currency period" means the period prescribed in Regulation 26 of these Regulations as the period for which a licence may be granted;

"examiner" means an examiner appointed under section 17 of the Act;

"licence" means a licence granted under Part I of the Act;

"notifiable application" means an application to which section 11 of the Act applies;

"operating centre" has the same meaning as in the Transport Act, 1947(e);

"the Act" means the Road and Rail Traffic Act, 1933;

(a) 23 & 24 Geo. 5. c. 53. (b) 1 Edw. 8 & 1 Geo. 6. c. 44. (c) 52 & 53 Vict. c. 63.
(d) 20 & 21 Geo. 5. c. 43. (e) 10 & 11 Geo. 6. c. 49.

"the holder of a licence" means the person to whom that licence was granted;

"the licensing authority" means the Licensing Authority for Goods Vehicles for the appropriate traffic area.

Applications for Licences

5.—(1) In the case of A and B licences a separate application for a licence shall be made in respect of each base or centre, whether in the same traffic area or not, from which it is intended that the authorised vehicles will normally be used.

(2) In the case of C licences the application shall be made to the licensing authority either for the area in which the principal place of business of the applicant is situated or for the area in which his head office is situated.

(3) An applicant shall not include in any application—

(*a*) a vehicle specified in any licence held by him unless the application is for a licence to replace the licence in which the vehicle is specified or is for the purpose of having the vehicle deleted from one licence and added to another licence,

(*b*) a vehicle specified in any licence issued to him which has been suspended or revoked, during the period of such suspension or before the date when such revoked licence is expressed to expire,

(*c*) a vehicle removed by direction under subsection (3) of section 13 of the Act from any licence held by him during the currency of that licence, or

(*d*) where the application is for a currency period licence, a vehicle included in any other such application which is still under consideration by any licensing authority.

(4) Every application and every notice under subsection (7) of section 2 of the Act shall be in the appropriate form set out in the Second Schedule to these Regulations.

(5) Every application relating to an A licence (other than a Contract A licence) or a B licence shall be submitted in duplicate, and every application relating to a C licence shall be accompanied by the remittance of the prescribed fee.

(6) The particulars referred to in paragraphs (*a*), (*b*) and (*c*) of subsection (2) of section 5 of the Act shall as and when required by the licensing authority be submitted in the form set out in the Third Schedule to these Regulations.

Signing of Applications

6. Every application shall be signed by the person requiring the licence and if made by any corporate body or partnership firm shall be signed by a person duly authorised in that behalf by such body, or a partner of the partnership firm as the case may be.

Date of submission of Applications

7. Every application, other than an application for a variation which the licensing authority is bound to grant, shall be sent to the licensing authority so as to reach him—

(*a*) as regards applications relating to A or B licences not less than eight weeks,

(*b*) as regards applications for C licences in substitution for existing licences not less than four weeks, and

(*c*) as regards other applications relating to C licences not less than two weeks,

before the date on which it is desired that the licence or variation of the licence shall take effect:

Provided that the licensing authority may accept and deal with any application although it was not received by him within the time prescribed as aforesaid.

Copies of Applications and Licences available for inspection

8.—(1) A copy of every notifiable application shall be available for inspection at the office of the licensing authority until the application has been determined by the licensing authority and during the currency of any licence granted or varied in respect of the application.

(2) A copy of every A licence (other than a Contract A licence) and of every B licence shall be available for inspection at the office of the licensing authority during the currency of the licence by any person who appears to the licensing authority to have reasonable ground to do so.

Statement to be issued by the Licensing Authority

9. The licensing authority shall cause to be issued as occasion may require a statement hereinafter called "Applications and Decisions" which shall contain (unless previously notified therein):—

(i) As regards notifiable applications:—

(*a*) notices of such applications;

(*b*) the dates (no date unless the licensing authority for special reasons otherwise determines being within 14 days of the issue of the statement) on which and the places at which he proposes to hold Public Inquiries and the applications which he proposes to consider at those Inquiries;

(*c*) the licensing authority's decisions on applications other than decisions to grant short-term licences under subsection (4) of section 3 of the Act.

(ii) Any decision to revoke or suspend a licence, and any direction given under subsection (3) of section 13 of the Act.

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 persons requiring them at a price not exceeding one shilling for each copy.

Notice of Objections

10. Every objection in respect of an application shall be in writing in the form set out in the Fourth Schedule to these Regulations and shall be signed by the person making it. If the objection is made by any body corporate or partnership firm, it shall be signed by a person duly authorised in that behalf by such body or a partner of the partnership firm as the case may be. Every such objection shall be sent to the licensing authority 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.

Adjournment of Inquiries

11. The licensing authority may adjourn from time to time the consideration of any application notwithstanding that the date of any Public Inquiry in connexion therewith may have been published in "Applications and Decisions" in accordance with paragraph (1) of Regulation 9 of these Regulations.

Identification of Authorised Vehicles

12.—(1) The licensing authority shall as soon as may be issue to the holder of a licence a certificate (hereinafter referred to as an "identity certificate") in respect of each vehicle authorised to be used under the licence.

(2) The holder of a licence shall, during such time as any vehicle is used under the licence, cause a valid identity certificate appropriate to the vehicle to be affixed to that vehicle (or in the case of a trailer to the trailer or to the vehicle drawing it) in a waterproof container:—

(i) in a conspicuous place on the left or near side of the vehicle, or

(ii) on the windscreen of the vehicle, either adjacent to the licence issued under the Vehicles (Excise) Act, 1949(**a**), if such licence is carried on the windscreen, or, if such licence is not so carried, in the alternative position permitted for such licence by the Road Vehicles (Registration and Licensing) Regulations, 1951(**b**), or

(iii) in the case of a vehicle used under a general trade licence issued under section 10 of the last mentioned Act, on the general trade plate at the front or at the rear of the vehicle, provided that no material part of such plate is thereby obscured,

and at all times while the vehicle is being so used the identity certificate shall be readily legible.

Return of Licences and Certificates on Variation

13.—(1) For the purpose of the variation of a licence the holder shall, when required by the licensing authority so to do, return the licence to the licensing authority who shall record on the licence the appropriate variation. The holder of the licence shall also return the identity certificate in respect of any vehicle to be deleted from the licence and the holder of a B licence shall return the identity certificate in respect of any vehicle in relation to which the conditions attached to the licence are to be varied.

(2) Where at any time an identity certificate issued to the holder of an A licence or a B licence in respect of any vehicle authorised to be used under such licence does not have or by reason of a change of operating centre ceases to have recorded thereon the operating centre for the time being of the vehicle, the licensing authority may issue to the holder in substitution therefor a fresh identity certificate with the operating centre for the time being of the vehicle duly recorded thereon and the holder shall return the old identity certificate to the licensing authority within seven days after receiving such fresh certificate.

Fees

14.—(1) Subject to the provisions of this Regulation, fees for licences (other than short-term licences) shall be the following in respect of each vehicle authorised:—

	£	s.	d.
A Licence	7	10	0
B Licence	3	10	0
C Licence	1	5	0

(a) 12, 13 & 14 Geo. 6. c. 89. (b) S.I. 1951/1381; 1951 II, p. 587.

(2) Where a licence for the currency period is granted in substitution for a short-term A or B licence granted under the provisions of subsection (4) of section 3 of the Act and is expressed to have effect from a date prior to the expiry of that short-term licence, the appropriate fee shall be reduced by an amount computed at the following rate in respect of each vehicle authorised for each complete month by which the period of the short-term licence is curtailed:—

	s.	d.
A Licence	2	6
B Licence	3	0

(3) Where a licence is granted for a shortened currency period under Regulation 26 of these Regulations, the fee payable shall be that for a licence for the full currency period less an amount computed at the following rate in respect of each complete period in the case of an A licence or a B licence of six months and in the case of a C licence of twelve months by which the currency period is shortened:—

	s.	d.
A Licence	15	0
B Licence	17	6
C Licence	5	0

in respect of each vehicle authorised.

(4) Where immediately before the date of the coming into operation of these Regulations one or more instalments of the fee for an A or a B licence (other than a short-term licence) would have remained payable in accordance with the provisions of paragraph (2) of Regulation 14 of the Goods Vehicles (Licences and Prohibitions) Regulations, 1936(a), as amended, but for the revocation of those Regulations by these Regulations, the holder of the licence shall on the date on which the first or only such instalment would have become so payable pay the full amount of the fee remaining payable in respect of that licence, that is to say an amount equal to the sum payable for the full currency period less the amount of any instalments paid and any sum by which the fee for the full currency period was reduced by virtue of paragraph (3) of Regulation 14 of the said Regulations of 1936.

(5) The fee for the variation of a licence which has the effect of authorising the use under the licence of a greater number of vehicles than the maximum number authorised under the licence at the time of the application for the variation shall be computed at the following rate for each additional vehicle above that maximum:—

(*a*) for each period of six months (or part of such period) of the unexpired period of:—

	s.	d.
an A Licence	15	0
a B Licence	17	6 and

(*b*) for each year (or part of a year) of the unexpired period of:—

	s.	d.
a C Licence	5	0

In each case the unexpired period shall be calculated from the date from which the use of the additional vehicle is authorised:

Provided that, for the purposes of this paragraph an additional motor vehicle shall not be regarded as authorised under a C licence until it has been specified in the appropriate C licence.

(a) S.R. & O. 1936/269; Rev. XX, p. 452; 1936 II, p. 2163.

(6) The fee for a short-term licence shall be computed at the following rate for each vehicle authorised to be used under the licence:—

	s.	d.
Short-Term A Licence	15	0
Short-Term B Licence	17	6
Short-Term C Licence	5	0

Provided that in the case of a short-term A licence or a short-term B licence granted under the provisions of subsection (4) of section 3 of the Act the fee shall be computed at the following rate for each month or part of a month for which the licence is valid:—

	s.	d.
Short-Term A Licence	2	6
Short-Term B Licence	3	0

in respect of each vehicle authorised to be used thereunder.

(7) The fee for the variation of a short-term licence which has the effect of authorising the use under the licence of a greater number of vehicles than the maximum number authorised under the licence at any previous time shall be computed at the following rate for each month or part of a month for which the use of each additional vehicle above that maximum is authorised:—

	s.	d.
as respects short-term A Licences ...	2	6
as respects short-term B Licences ...	3	0

(8) The fee for variation of the conditions attached to a B licence in pursuance of subsection (3) of section 8 of the Act shall be two shillings in respect of each vehicle to which the variation relates.

(9) No fee shall be payable for any variation which involves solely:—

(*a*) the deletion from a licence of any vehicle authorised under the licence,

(*b*) the reduction of the number of vehicles authorised under the licence, or

(*c*) the substitution of one vehicle for another vehicle authorised under the licence.

(10) Where vehicles are authorised to be hired under a licence the amount of the fee shall be reckoned on the basis of the maximum number of vehicles authorised to be hired at any one time.

(11) Where on the grant of a licence the licensing authority includes vehicles to be acquired by the licensee the extra fee to be paid when a vehicle is acquired shall be computed at the same rate as those payable under paragraphs (5) or (7) of this Regulation as the case may be and shall be calculated as from the date on which the identity certificate for that vehicle is issued.

(12) Where on an application to which the provisions of paragraph (*b*) of subsection (3) of section 11 of the Act apply the licensing authority grants a licence to expire not later than an existing licence under which the vehicles concerned are authorised to be used for the purposes of a business which the applicant has acquired or intends to acquire, the fee to be paid shall be computed at the same rate as those payable under paragraph (3) of this Regulation in respect of each vehicle authorised under the licence and shall be calculated as from the date on which the licence is expressed to have effect.

(13) On the variation of an A or a B licence (other than a short-term licence) being a variation which has the effect of reducing the total number of vehicles authorised by the licence (including any vehicle intended to

be acquired by the holder of the licence), the licensing authority shall, if an application in writing is made to him in that behalf by the holder of the licence within one month of the licence being so varied, refund to the holder of the licence an amount computed at the following rate in respect of each vehicle by which the total number of vehicles is reduced:—

(*a*) in the case of an A licence £1 10s. 0d. in respect of each complete period of one year of the period of the currency of the licence which is unexpired at the date of the variation, and

(*b*) in the case of a B licence £1 15s. 0d. in respect of each such period as aforesaid.

(14) No licence shall be granted and no variation of a licence in respect of which a fee is payable shall be recorded on the licence until the applicant shall have paid to the licensing authority the appropriate fee in respect thereof.

(15) No identity certificate shall be issued in respect of any vehicle until the applicant shall have paid to the licensing authority any fee in respect of the licence in which such vehicle is authorised.

(16) The fee payable on the issue of a copy of a licence or of an identity certificate shall be one shilling.

Temporary replacement of Authorised Vehicles

15.—(1) Where a motor vehicle specified in an A licence or a B licence (hereinafter referred to as "the specified vehicle") has been destroyed, rendered unfit for service, or withdrawn from service for overhaul or repair and the holder of the licence desires a licence authorising, until it is replaced or rendered fit for service again, the use in its place of a vehicle in his possession or to be hired without a driver (hereinafter referred to as "the substituted vehicle") which vehicle he is not authorised to use under his existing licence and the unladen weight of which does not exceed by more than 10 cwt. or 25 per cent., whichever may be the greater, the unladen weight of the specified vehicle, the provisions of paragraphs (4) and (5) of Regulation 5 and of Regulations 7 and 8 of these Regulations shall not apply and the application for such licence may be in the form of a letter explaining the circumstances and accompanied by the identity certificate for the specified vehicle.

(2) If on consideration of such an application the licensing authority decides to grant a licence authorising the use of the substituted vehicle and, for such special reasons as aforesaid, determines under the provisions of subsection (2) of section 3 of the Act that such licence shall expire on the prescribed date next ensuing after the expiration of one month from the date of such grant, the following provisions shall have effect:—

(*a*) Notwithstanding the provisions of Regulation 14 of these Regulations no fee shall be charged for the licence; and

(*b*) The identity certificate for the specified vehicle shall be returned to the holder of the licence when he surrenders to the licensing authority the licence authorising the use of the substituted vehicle and the relative identity certificate.

Dates of Expiry of Licences

16. The dates for the expiration of licences for the purposes of subsection (2) of section 3 of the Act shall be the 24th March and the last day of every other calendar month.

Notification of Change of Address

17. If during the currency of the licence the holder thereof changes his address he shall within seven days from the date of such change notify such change to the licensing authority by whom the licence was granted.

Production of Licences for examination

18. The holder of a licence shall produce it for examination if required to do so by any police constable, by any certifying officer or examiner or by any person duly authorised by the licensing authority in that behalf and may elect whether to produce it at his base, head office or principal place of business.

Issue of Copies of Licences and Certificates

19. If an identity certificate or a licence has during the currency thereof been lost, destroyed, or defaced, the holder thereof shall forthwith notify the licensing authority by whom such certificate or licence was issued or granted and the licensing authority if satisfied that it has been so lost, destroyed, or defaced shall on payment of the prescribed fee issue a copy (so marked) which shall have effect as the original certificate or licence :

Provided that in the case of any such certificate or licence which has been defaced the copy shall be so issued only after the surrender of the original certificate or licence to the licensing authority. Where a certificate or licence which has been lost and replaced is recovered the original certificate or licence shall be returned to the licensing authority forthwith.

Return of Licences and Certificates to the Licensing Authority

20. If a licence ceases to have effect, otherwise than by the effluxion of time, or is suspended or revoked or if a vehicle has been removed from a licence under the provisions of subsection (3) of section 10 or subsection (3) of section 13 of the Act, the holder of the licence shall within five days after a notice to that effect has been delivered to him personally or sent to him by registered post at the address shown in his application or last notified in accordance with Regulation 17 of these Regulations send or deliver such licence together with the current identity certificate or certificates issued under the licence to the licensing authority by whom the licence was granted and the said certificate or certificates issued, for retention during the time of suspension or for cancellation or alteration as the case may be and the licensing authority shall on the removal of a suspension return the licence and the said certificate or certificates to the holder:

Provided that in the case of a vehicle which has been removed from a licence under the provisions of subsection (3) of section 10 or subsection (3) of section 13 of the Act, it shall only be necessary to send to the licensing authority the licence and the current certificate issued in respect of that vehicle.

Vehicles passing out of possession of Holder of Licence

21. If during the currency of a licence the holder thereof ceases to be the owner of any vehicle specified in it he shall within five days notify the licensing authority by whom the licence was granted and return the licence to him for variation together with the relative identity certificate.

Death, Bankruptcy, etc., of Holder of Licence

22. Where owing to the death, incapacity, bankruptcy, or liquidation of the holder of a licence or the sequestration of his estate or to the appointment of a receiver or manager or trustee in relation to his business, he ceases to

be the user of the vehicles authorised to be used by him under the licence the person carrying on the business of the holder shall be deemed to be the holder of the licence if:—

(*a*) within one month notice that the holder has ceased to be the user of those vehicles and the reason therefor, and the name of the person by whom the business is being carried on, be sent to the licensing authority by whom the licence was granted, and

(*b*) within one month of the sending of such notice an application for a new licence be duly made:

Provided that the period during which such person shall be deemed to be the holder of the licence shall in no case extend beyond the date on which the licence would have expired but for the occurrence of the said event and shall terminate immediately the application is disposed of.

Appeals to the Transport Tribunal

23.—(1) Every appeal against the decision of the licensing authority in respect of a notifiable application or against the suspension or revocation of any licence or against any direction given under subsection (3) of section 13 of the Act or against any conditions or any variation of the conditions attached to a licence in respect of a notifiable application shall be lodged with the Transport Tribunal at their office, together with the appropriate fee payable under the Rules of the Tribunal, not later than one month after the date of publication of the issue of "Applications and Decisions" in which the decision appealed against is published. Appeals in Scotland shall be lodged at the Edinburgh office and in all other cases at the London office.

(2) Every appeal against the decision of the licensing authority in respect of an application which is not notifiable or against any conditions or any variation of the conditions attached to a licence in respect of an application which is not notifiable shall be lodged with the Transport Tribunal at their office, together with the appropriate fee payable under the Rules of the Tribunal, not later than one month after the date of the decision appealed against or, if before the expiration of that period of one month, the decision is published in "Applications and Decisions", not later than one month after the date of such publication.

(3) Every appeal shall be in writing and shall:—

(i) indicate precisely the decision by which the appellant is aggrieved,

(ii) state the grounds on which the appeal is made, and

(iii) state the name and address of every person to whom a copy of the appeal is being sent in accordance with the provisions of the paragraph of this Regulation next following.

(4) Every appeal shall be accompanied by three copies for the use of the Transport Tribunal and at the same time as the appeal is sent to the Tribunal, or as soon as may be thereafter, a copy shall be sent:—

(*a*) to the licensing authority, and

(*b*) in the case of an appeal, made by an applicant for the grant of a licence or for the variation of the conditions attached to the licence, against the refusal thereof or against any conditions imposed by the licensing authority, to every person who made an objection which the licensing authority was bound to take into consideration, or

(*c*) in the case of an appeal, made by a person who made an objection which the licensing authority was bound to take into consideration, against the grant of a licence or against any conditions or variation of the conditions attached thereto, to the applicant.

(5) An appeal may be amended at any time as the Transport Tribunal may think fit and upon such terms as the Tribunal may consider just.

Prohibitions of use of Goods Vehicles

24.—(1) Every prohibition of the use of a goods vehicle under the provisions of subsection (3) of section 17 of the Act shall be given by the examiner or certifying officer in writing in the form set out in the Fifth Schedule to these Regulations.

(2) When a prohibition has come into operation it shall remain in force until notice of its removal has been given by an examiner or certifying officer in writing or, in the event of an appeal to the Minister of Transport under subsection (8) of section 17 of the Act, until the Minister shall have ordered its removal.

(3) Where a certifying officer has under the provisions of subsection (7) of section 17 of the Act inspected a vehicle he shall within seven days of such inspection give his decision, whether or not to remove the prohibition, in writing to the person on whose application he examined the vehicle.

(4) Every appeal to the Minister against the refusal of a certifying officer to remove a prohibition shall be made in writing within fourteen days of the date on which he notified the person in accordance with the provisions of the preceding paragraph of this Regulation.

Computation of Time

25. In all cases in which any period of time is prescribed by these Regulations, the same shall be reckoned exclusively of the first day and inclusively of the last day, unless the last day shall happen to fall on a Sunday, Christmas Day, New Year's Day or Good Friday, or any day appointed by law to be a bank-holiday, or a day appointed for a public fast or thanksgiving, in which case the time shall be reckoned exclusively of that day also.

Currency Period of Carriers' Licences

26. The following periods are hereby prescribed as the currency periods for which a licence may be granted:—

(*a*) in the case of an A licence—five years;

(*b*) in the case of a B licence—two years;

(*c*) in the case of a C licence—five years:

Provided that, where the licensing authority is of the opinion that such a course is desirable in order to arrange a suitable and convenient programme of work, he may in his discretion grant a licence for a currency period shortened to meet the requirements of that programme.

Given under the Official Seal of the Minister of Transport this twenty-fifth day of February, 1952.

(L.S.)

John S. Maclay,
The Minister of Transport.

FIRST SCHEDULE
(see Regulation 1)

The Goods Vehicles (Licences and Prohibitions) Regulations, 1936.

The Goods Vehicles (Licences and Prohibitions) (Amendment) Provisional Regulations, 1938.

The Goods Vehicles (Licences and Prohibitions) (Amendment) Regulations, 1948(a).

The Goods Vehicles (Licences and Prohibitions) (Amendment) Regulations, 1951(b).

The Goods Vehicles (Duration of Carriers' Licences) Provisional Regulations, 1938.

SECOND SCHEDULE
(see Regulation 5)

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.1A

Application for Public A Carrier's Licence

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES

I hereby apply for a public A carrier's licence (*in continuation of carrier's licence Numbered.....) in respect of the vehicles described in this application and I hereby declare that to the best of my knowledge and belief all the statements in this application are true.

Signature.....

Date..... Status .....

1. Name (including Christian names) of applicant. (If a partnership firm give full names of all partners.)

2. Address in full.

3. Reference Number of any carrier's licence held by you.	3.
4. (*a*) Address of permanent base or centre from which vehicles will normally be used for the carriage of goods for hire or reward. (*b*) Address of operating centre desired if different from answer to 4 (*a*).	4. (*a*) (*b*)
5. Do you understand that you cannot carry in vehicles authorised under an A carrier's licence goods in connection with any trade or business carried on by you other than that of carrier?	5.

* Strike out or complete as appropriate.

(a) S.I. 1948/2429; Rev. XX p. 452; 1948 I, p. 3750. (b) S.I. 1951/1427; 1951 II, p. 490.

6. Is the application for a licence in continuation of an existing licence issued to a carrier whose business you have acquired or intend to acquire? Answer YES or NO. If the answer is YES state:— (*a*) Name of that carrier. (*b*) Reference Number appearing on face of existing licence issued to that carrier and date of expiry. (*c*) Whether the application is for a licence to expire later than that date.	6. (*a*) (*b*) (*c*)
7. Facilities which you propose to provide:— (*a*) Class or description of goods to be carried. (*b*) Districts in which or places between which the vehicles will normally be used.	7. (*a*) (*b*)

8. Insert Registration Marks, unladen weights and types of motor vehicles owned (or in possession under hire purchase agreement) to be included in licence

Registration Mark	Unladen Weight	Type	Registration Mark	Unladen Weight	Type
			Total Number of Vehicles	*Total Unladen Weight*	

9. State number, unladen weights and types of motor vehicles (if any) to be licensed, in addition to or in substitution for the above and not yet acquired but which you propose to purchase (or to obtain under hire purchase agreement) if authorised.	9. *Number* @ *Unladen Weight* *Type*
10. If in substitution for motor vehicles to be withdrawn state Registration Marks, unladen weights and types of vehicles to be withdrawn.	10. *Registration Mark* *Unladen Weight* *Type*
11. State number, unladen weights and types of motor vehicles (if any) which you desire to take on hire without drivers under section 2 (6) (*b*) of Act.	11. *Number* @ *Unladen Weight* *Type*

12. State number, unladen weights and types of all trailers to be licensed, including the trailer portions of articulated vehicles and trailers to be taken on hire without drivers.	12. *Number* @ *Unladen Weight* *Type*
13. Traffic Areas (if any) in which any other application for a carrier's licence has been or is being made.	13. *Area* *Class of Licence (A, B or C)*

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.1B

Application for Limited B Carrier's Licence

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES

I hereby apply for a limited B carrier's licence (*in continuation of carrier's licence Numbered.....) in respect of the vehicles described in this application and I hereby declare tnat to the best of my knowledge and belief all the statements in this application are true.

Signature .....

Date..... Status .....

1. Name (including Christian names) of applicant. (If a partnership firm give full names of all partners.)

2. Address in full.

3. Reference Number of any carrier's licence held by you.	3.
4. (*a*) Address of permanent base or centre from which vehicles will normally be used for the carriage of goods for hire or reward. (*b*) Address of operating centre desired if different from answer to 4 (*a*).	4. (*a*) (*b*)
5. (*a*) What is your business other than that of a carrier? (*b*) Do you intend to use any of the vehicles for the carriage of goods for or in connection with that other trade or business?	5. (*a*) (*b*)

* Strike out or complete as appropriate.

6. Is the application for a licence in continuation of an existing licence issued to a carrier whose business you have acquired or intend to acquire? Answer YES or NO. If the answer is YES state:—	6.
(*a*) Name of that carrier.	(*a*)
(*b*) Reference number appearing on face of existing licence issued to that carrier and date of expiry.	(*b*)
(*c*) Whether the application is for a licence to expire later than that date.	(*c*)
7. (*a*) Are the facilities which you propose to provide for hire or reward the same as those authorised by your existing licence numbered as in answer to Question 3 above? (Answer YES or NO. If the answer is YES strike out (*b*) (i), (ii) and (iii).) If the answer is NO state:—	7. (*a*)
(*b*) (i) Class or description of goods to be carried for hire or reward.	(*b*) (i)
(ii) District in which or places between which the vehicles will normally be used for hire or reward. (This information may conveniently be given as a radius in miles from your base.)	(ii)
(iii) Do you want to be allowed to use the vehicles for hire or reward elsewhere than in (ii)? If so, to what extent and where?	(iii)

8. Insert Registration Marks, unladen weights and types of motor vehicles owned (or in possession under hire purchase agreement) to be included in licence.

Registration Mark	Unladen Weight	Type	Registration Mark	Unladen Weight	Type
			Total Number of Vehicles	*Total Unladen Weight*	

9. State number, unladen weights and types of motor vehicles (if any) to be licensed, in addition to or in substitution for the above and not yet acquired but which you propose to purchase (or to obtain under hire purchase agreement) if authorised.	9. *Number* @ *Unladen Weight* *Type*
10. If in substitution for motor vehicles to be withdrawn, state Registration Marks, unladen weights and types of vehicles to be withdrawn.	10. *Registration Mark* *Unladen Weight* *Type*
11. State number, unladen weights and types of motor vehicles (if any) which you desire to take on hire without drivers under section 2 (6) (*b*) of Act.	11. *Number* @ *Unladen Weight* *Type*
12. State number, unladen weights and types of all trailers to be licensed, including the trailer portions of articulated vehicles and trailers to be taken on hire without drivers.	12. *Number* @ *Unladen Weight* *Type*
13. Traffic Areas (if any) in which any other application for a carrier's licence has been or is being made.	13. *Area* *Class of Licence (A, B or C)*

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.2

Application for Contract A Licence

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES

I hereby apply for a contract A licence in respect of the vehicles described below and I hereby declare that to the best of my knowledge and belief all the statements in this application are true.

Signature .....

Date..... Status .....

1. Name (including Christian names) of applicant. (If a partnership firm give full names of all partners.)

2. Address in full.

3. (*a*) Address of permanent base or centre from which vehicles will normally be used.	3. (*a*)
(*b*) Address of operating centre desired if different from answer to 3 (*a*).	(*b*)

4. Name, address and nature of trade or business of person with whom contract is made.	4.
5. State dates of commencement and termination of contract. (If contract continues in force until terminated by notice, state period of notice required.)	5.
6. State short particulars of contract. (The original contract must be forwarded for inspection.)	6.
7. Vehicles *which are to be used EXCLUSIVELY for the purposes of the contract:*— (*a*) Motor vehicles owned or in possession under hire purchase agreement. (*b*) Motor vehicles to be acquired. (State number and unladen weight.) (*c*) Motor vehicles proposed to be hired without drivers, under section 2 (6) (*b*) of Act. (State number and unladen weight.) (*d*) Trailers to be licensed, including the trailer portions of articulated vehicles and trailers to be taken on hire without drivers. (State number and unladen weight.)	7. (*a*) *Registration Mark* — *Unladen Weight* *Number* — @ *Unladen Weight* (*b*) (*c*) (*d*)
8. Traffic Areas (if any) in which any other application for a carrier's licence has been or is being made.	8. *Area* — *Class of Licence (A, B or C)*

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.5

Application for Private C Carrier's Licence

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES

I hereby apply for a private C carrier's licence (*in continuation of carrier's licence Numbered.....) in respect of the vehicles described below and I hereby declare that to the best of my knowledge and belief all the statements in this application are true.

Signature .....

Date..... Status .....

1. Name (including Christian names) of applicant. If a partnership firm give full names of all partners.)

2. Address in full.

* Strike out or complete as appropriate.

3. (*a*) State the nature of the business in connection with which you (or your subsidiary companies within the meaning of section 12 of the Road and Rail Traffic Act, 1933) intend to use the vehicles. (*b*) Do you understand that you cannot carry goods for hire or reward in vehicles authorised under a private C carrier's licence, except under a written authorisation by the Licensing Authority?	3. (*a*) (*b*)
4. Vehicles which are to be used in connection with the above business:— (*a*) Motor vehicles owned or in possession under hire purchase agreement to be included in licence. (*b*) Motor vehicles to be hired without drivers from other owners, e.g. motor vehicles to be hired in case of breakdowns and driven by your drivers. (*c*) Trailers, including the trailer portions of articulated vehicles and trailers to be taken on hire without drivers.	4. (*a*) *Registration Mark* — *Unladen Weight* *Number* — @ *Unladen Weight* (*b*) (*c*)
5. Amount of licence fee (enclosed herewith) in favour of the above Traffic Area Licensing Authority for Goods Vehicles.	5. Number of motor vehicles (at 4 (*a*) above) ... Number of hired vehicles (at 4 (*b*) above) ... Number of trailers (at 4 (*c*) above) ... ... Total ... ... @ £ s. d. each = £ s. d.
6. If any of the vehicles described above under 4 (a) are being licensed in your name for the first time and it is within your knowledge that they were previously authorised in a carrier's licence give the name and address of the holder and the number of the licence.	6.
7. Traffic Areas (if any) in which any other application for a carrier's licence has been or is being made.	7. *Area* — *Class of Licence (A, B or C)*

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.6

Application for Variation of Public A/Limited B* Carrier's Licence*

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES

I hereby apply for the variation of licence Numbered.....A*/B* and declare that to the best of my knowledge and belief all the statements in this application are true.

Signature .....

Date..... Status .....

1. Name (including Christian names) of applicant. (If a partnership firm give full names of all partners.)

2. Address in full.

3. (*a*) Address of permanent base or centre from which vehicles will normally be used for the carriage of goods for hire or reward. (*b*) Address of operating centre desired for additional vehicles if different from answer to 3 (*a*).	3. (*a*) (*b*)
4. Please *take off* my licence:— (*a*) Motor vehicles. *Registration Mark* *Unladen Weight* *Type* (*b*) Motor vehicles authorised to be hired without drivers under section 2 (6) (*b*) of Act. *Number* *@ Unladen Weight* *Type* (*c*) Trailers. *Number* *@ Unladen Weight* *Type*	5. Please *add* to my licence:— (*a*) Motor vehicles owned or in possession under hire purchase agreement. *Registration Mark* *Unladen Weight* *Type* (*b*) Motor vehicles to be acquired. *Number* *@ Unladen Weight* *Type* (*c*) Motor vehicles intended to be hired without drivers under section 2 (6) (*b*) of Act. *Number* *@ Unladen Weight* *Type* (*d*) Trailers. *Number* *@ Unladen Weight* *Type*

* Strike out one of these.

6. (Complete only for variation of A or B licence which will increase the number or the total unladen weight of authorised vehicles or vary the type of any vehicles):— (*a*) Facilities which you propose to provide:— (i) Class or description of goods to be carried for hire or reward. (ii) Districts in which or places between which vehicles will normally be used for hire or reward. (This information may conveniently be given as a radius in miles from your base.) (*b*) Is the proposed increase due to your having acquired or being about to acquire the business of another carrier? Answer YES or NO. If the answer is YES state:— (i) Name of that carrier. (ii) Number of existing licence issued to that carrier and date of expiry.	6. (*a*) (i) (ii) (*b*) (i) (ii)
7. (Complete only for variation of conditions of B licence.) Please vary the conditions attached to my B licence so that they will read:—	7.

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.7

Application for Variation of Private C Carrier's Licence and Notice under section 2 (7) of the Act

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES

I hereby apply for the variation of licence Numbered..... C and declare that to the best of my knowledge and belief all the statements in this application are true.

Signature.....

Date..... Status .....

1. Name (including Christian names) of applicant. (If a partnership firm give full names of all partners.)

2. Address in full.

3. (*a*) Please *take off* my licence:— Motor vehicles. *Registration Mark* — *Unladen Weight*	3. (*b*) Please *add* to my licence:— Motor vehicles owned or in possession under hire purchase agreement. *Registration Mark* — *Unladen Weight*

(The licence (or variation of licence) issued to you and the identity certificates issued to you for the vehicles entered at 3 (*a*) must be returned with this form.)

4. (*a*) Please increase*/reduce the number of motor vehicles authorised to be hired without drivers from other owners under section 2 (6) (*b*) of Act. Motor vehicles from:—(give number now authorised) to:—(give number required)	4. (*b*) Please increase*/reduce the number of trailers authorised to be used under my licence. Trailers from:—(give number now authorised) to:—(give number required)

(The licence (or variation of licence) issued to you and the identity certificates for the vehicles and/or trailers to be taken off the licence must be returned with this form.)

5. Amount of licence fee enclosed herewith, in favour of above Traffic Area Licensing Authority for Goods Vehicles.	5. Additional motor vehicles (at 3 (*b*) above) ... Additional hired vehicles (at 4 (*a*) above) ... Additional trailers (at 4 (*b*) above) ... ... Total ... ... @ £ s. d. each = £ s. d.
6. If any of the vehicles described above under 3 (*b*) are being licensed in your name for the first time and it is within your knowledge that they were previously authorised in a carrier's licence give the name and address of the holder and the number of the licence.	6.

ROAD AND RAIL TRAFFIC ACT, 1933 G.V.8

Application for Short Term Licence

(This form must never be returned alone, but must be attached to an application form G.V.1A, G.V.1B or G.V.5.)

I wish the attached application to be considered as an application for a short term licence for the period to

The reasons why a short term licence is sought instead of a licence for the normal period are:—

Date..... Signature.....

* Delete whichever is inapplicable.

THIRD SCHEDULE G.V.4

(See Regulation 5)

ROAD AND RAIL TRAFFIC ACT, 1933
(SECTION 5 (2))

Particulars of Interest (A and B Licences)

The particulars below are required by the Licensing Authority. This form when completed should be returned in the enclosed envelope.

*Reply**

1. Name and address of person making return.
2. Have you carried on any business as a carrier of goods for hire or reward at any time before the making of this application? If so, give sufficient particulars to identify such business.
3. [Any other particulars which the Licensing Authority may require.]
4. Have you any agreement or arrangement (other than in connection with a hire purchase or hiring agreement) affecting in any material respect the provision in this area of goods transport facilities with any other person providing such facilities anywhere? If so, give particulars and dates.
5. Has any other person providing goods transport facilities, or controlling (either solely or in conjunction with any other person), the business of any person who provides such facilities, any financial interest in your business (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction)? If so, give particulars.
6. Has any person referred to in 5 above any right to nominate any director of your Company?

The above particulars are supplied in accordance with the requirements of Section 5 of the Road and Rail Traffic Act, 1933.

Date..... *Signature*.....

FOURTH SCHEDULE

(See Regulation 10)

To the.....TRAFFIC AREA LICENSING AUTHORITY FOR GOODS VEHICLES (ROAD AND RAIL TRAFFIC ACT, 1933)

NOTICE OF OBJECTION to the application made by.....

and numbered.....in Applications and Decisions dated.....

* If none, write " None ". If space is insufficient for any answer, write " See annexed " and give particulars on separate sheet over your signature. If you have made a previous application to the Licensing Authority concerned and there has been no change since that application was made, write " No change ".

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 carrier's A / Limited carrier's B } Licence No.....

‡ and in particular the following transport 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.

‖ (3) the conditions attached to a licence held by the applicant have not been complied with in the following respects, namely,.....

.....

¶ My/Our objection is particularly directed—

¶ (*a*) to the inclusion in the licence of the following goods vehicles** (or any vehicle which may be substituted for any of those vehicles):—

.....

¶ (*b*) (In respect of applications for B licences)
to the grant of the licence unless conditions to the following effect are attached to it:—

.....

¶ (*c*) (In respect of applications for the variation of conditions attached to B licences)
to the proposed variation in so far as it would permit:—

.....

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

Signature of Objector.....

Date..... *Address* .....

.....

NOTE.—On an application for the grant or variation of an A licence, the licensing authority is not bound to take into consideration objections made by a person who holds a B licence and does not also hold an A licence.

FIFTH SCHEDULE G.V.9

(See Regulation 24)

ROAD AND RAIL TRAFFIC ACT, 1933

Prohibition of the Use of Vehicle

To..... ..... *Traffic Area*

....

....

By virtue of the powers vested in me by the above Act, I hereby prohibit the use on a road for the carriage of goods of the vehicle specified below:—

.....

* One of these may be omitted.

† Omit if inapplicable.

‡ Insert here particulars of facilities provided by objector.

§ Omit one of these paragraphs.

‖ If applicable give details of alleged failures. A full statement may obviate the need for an Inquiry.

¶ Omit all or any of these which are inapplicable.

** The vehicles need not be specified by Registration Mark but may be indicated by such phrases as "Vehicles additional to those already authorised"; "3 motor vehicles and 2 trailers in possession"; "motor vehicles to be hired"; "1 trailer to be acquired"; etc.

Number of Licence (if any) under Road and Rail Traffic Act.....

Defects:—

This prohibition shall come into force (immediately) (on..... by which date the defects can in my opinion be remedied) and shall continue in force until it is removed or withdrawn (on Form G.V.10) by a Certifying Officer or Examiner appointed by the Minister of Transport.

Signed .....

Certifying Officer/Examiner.

Dated.....a.m./p.m. the.....day of.....19.....

Signature of person to whom notice was given at time of inspection:—

.....

Copy to.....Traffic Area Licensing Authority for Goods Vehicles.

EXPLANATORY NOTE

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

These Regulations consolidate with amendment the Goods Vehicles (Licences and Prohibitions) Regulations, 1936, as subsequently amended (which make provision as to the issue of carriers' licences in respect of goods vehicles and as to the use of such vehicles under those licences) and the Goods Vehicles (Duration of Carriers' Licences) Provisional Regulations, 1938 (which prescribe the currency periods of carriers' licences). The principal changes are:—

(1) The fees for A and B Carriers' Licences are made payable in one sum instead of by annual instalments but there is provision for appropriate refunds to be made where a licence is varied by reducing the total number of vehicles authorised. The validity of an identity certificate issued in respect of a vehicle covered by any such licence is accordingly extended to cover the same period as the licence to which it relates instead of the period covered by the instalment of the fee paid. In the case of A and B licences issued before 1st April, 1952, provision is made for the full balance of the fee in respect of the licence to be paid on the date on which the next instalment would have fallen due under the 1936 Regulations.

(2) Regulation 22 now provides that where by reason of death, incapacity, bankruptcy, liquidation, the appointment of a receiver, manager or trustee, or the sequestration of his estate, the holder of a licence ceases to be the user of the vehicles authorised thereby, the person carrying on his business shall be deemed to be the holder of the licence if, within one month, he gives notice to the Licensing Authority of the circumstances and subsequently applies for a new licence within one month of giving that notice. Under the 1936 Regulation the notice to the Licensing Authority that the holder of the licence had ceased to be the user of the vehicles was required to be given within 14 days.

(3) The forms of application for A and B Carriers' Licences or for the variation of such licences have been amended by requiring the applicant to state the address of the operating centre desired where this differs from the address of the permanent base or centre from which the vehicles will normally be used. These forms and the form of application for the variation of A and B Carriers' Licences have also been amended to require the applicant to specify the type of each vehicle referred to.