STATUTORY INSTRUMENTS

1971 No. 149

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences) (Fees) Regulations 1971

Made - - -	*27th January* 1971
Laid before Parliament	*5th February* 1971
Coming into Operation	*8th February* 1971

The Secretary of State for the Environment, in exercise of his powers under sections 89(1) and 91(1) of the Transport Act 1968(a), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 91(8) of the said Act of 1968, hereby makes the following Regulations:—

Commencement, citation and revocation

1.—(1) These Regulations shall come into operation on 8th February 1971 and may be cited as the Goods Vehicles (Operators' Licences) (Fees) Regulations 1971.

(2) The Goods Vehicles (Carriers' and Operators' Licences) (Fees) Regulations 1969(b) are hereby revoked.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

"month" means a calendar month running from any date;

"operator's licence" means an operator's licence within the meaning of Part V of the Transport Act 1968;

"year" means a calendar year running from any date;

and any expression not defined above which is also used in the Goods Vehicles (Operators' Licences) Regulations 1969(c) has the same meaning as in those Regulations.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 1 above were an Act of Parliament thereby repealed.

Fees in respect of operators' licences

3.—(1) This Regulation applies in relation to an operator's licence other than such a licence granted under section 67(5) of the Transport Act 1968.

(2) Whenever a motor vehicle is specified in an operator's licence to which this Regulation applies the holder of the licence shall pay a fee at the rate of—

(a) £4 in respect of each motor vehicle so specified for each whole year of the unexpired term of the licence, calculated from the date when the vehicle is so specified; and

(a) 1968 c. 73.
(b) S.I. 1969/1799 (1969 III, p. 5612).
(c) S.I. 1969/1636 (1969 III, p. 5141).
(d) 1889 c. 63.

(b) one-twelfth of the said amount in respect of each motor vehicle so specified for each whole month (any part of a month counting as a whole month for this purpose) in any period less than a whole year which remains in the unexpired term of the licence when the whole years have been deducted.

(3) Whenever the number of motor vehicles specified in an operator's licence to which this Regulation applies is reduced the licensing authority shall, if an application in writing in that behalf is made to him by or on behalf of the holder of the licence within 3 months of the reduction, refund to the holder of the licence an amount at the rate specified in paragraph (2)(b) above in respect of each vehicle by which the total number of specified vehicles is reduced for each whole month of the unexpired term of the licence calculated from the date of the reduction:

Provided that:—

(i) no refund shall be made in respect of any period of less than 3 months, and

(ii) for the purposes of this paragraph any part of a month at the end of such term ending on the 24th March in any year, in the case of a licence which expires on the 24th March in that year, shall count as a whole month.

(4) (a) No identity disc shall be issued in respect of any vehicle until the applicant shall have paid to the licensing authority any fee payable by virtue of paragraph (2) above.

(b) No refund shall be paid under this Regulation in respect of any vehicle until the applicant shall have returned to the licensing authority the identity disc or any copy thereof issued in respect of that vehicle.

4. The fee payable in respect of an operator's licence granted under section 67(5) of the Transport Act 1968 shall be £1 in respect of each motor vehicle specified in the licence and shall become payable at the end of the period during which the licence continues in force.

5. On and after the day appointed for the beginning of the transitional period for the purposes of the Decimal Currency Act 1969(a) if any fee or refund payable under these Regulations is made in the new currency as defined in section 16(1) of that Act any remaining amount of such fee or refund of less than one new penny shall be disregarded.

Signed by authority of the
Secretary of State.
27th January 1971.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations revoke the Goods Vehicles (Carriers' and Operators' Licences) (Fees) Regulations 1969 and re-enact their provisions so far as they prescribe the fees payable for the grant or variation of an operator's licence to use a goods vehicle for hire or reward or for business on own account under Part V of the Transport Act 1968, and for the refund of such fees in certain circumstances. Additional provision is made as to the fees payable in respect of an operator's licence which, on an application for such a licence, may be granted under section 67(5) of the 1968 Act pending determination of the application.

(a) 1969 c. 19.