STATUTORY INSTRUMENTS

1974 No. 2060

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences) (Fees) Regulations 1974

Made - - -	*6th December* 1974
Laid before Parliament	*17th December* 1974
Coming into Operation	*1st January* 1975

The Secretary of State for the Environment, in exercise of the powers conferred by sections 89(1) and 91(1) of the Transport Act 1968(**a**) and now vested in him(**b**), 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 1st January 1975 and may be cited as the Goods Vehicles (Operators' Licences) (Fees) Regulations 1974.

(2) The Goods Vehicles (Operators' Licences) (Fees) Regulations 1971(**c**) are hereby revoked, but such revocation shall be without prejudice to the right of the holder of an operator's licence to which Regulation 3 of those Regulations applied to a refund in accordance with paragraph (3) of that Regulation in a case where the number of vehicles specified in that licence is reduced by the licensing authority before the coming into operation of these Regulations.

Interpretation

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

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

"quarter" means a period of three calendar months running from any date;

"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(**d**) has the same meaning as in those Regulations.

(**a**) 1968 c. 73.
(**b**) S.I. 1970/1681 (1970 III, p. 5551).
(**c**) S.I. 1971/149 (1971 I, p. 387).
(**d**) S.I. 1969/1636 (1969 III, p. 5141).

(2) The Interpretation Act 1889(**a**) 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were an Act of Parliament and the Regulations revoked by Regulation 1 above were an Act of Parliament thereby repealed.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 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*) £5 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

(*b*) £1·25 in respect of each motor vehicle so specified for each whole quarter (any part of a quarter counting as a whole quarter 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 quarter (any part of a quarter being disregarded for this purpose) in the unexpired term of the licence calculated from the date of the reduction:

Provided that in calculating for the purposes of this paragraph the number of whole quarters in the unexpired term of a licence which ends on the 24th March in any year, that term shall be regarded as expiring on the 31st March in that year.

(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.—(1) The fee payable in respect of an operator's licence under section 67(5), or an interim direction under section 68(5), of the Transport Act 1968 shall be £1 in respect of each motor vehicle specified in the licence or direction, and shall be paid by the applicant on the request for the licence or direction.

(2) Paragraph (1) shall not apply in relation to a licence or direction, the request for which is made before the coming into operation of these Regulations.

Fred Mulley,
Minister for Transport,
Department of the Environment.

Signed by authority of the
Secretary of State
6th December 1974.

(**a**) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations revoke the Goods Vehicles (Operators' Licences) (Fees) Regulations 1971 and re-enact their provisions with the following alterations:—

(1) The fee payable whenever a motor vehicle is specified in an operator's licence (other than an interim licence under section 67(5) of the Transport Act 1968) is increased from £4 to £5 in respect of each whole year of the unexpired term of the licence and from one-twelfth of £4 for each additional month (or part of a month) in that term to £1·25 for each additional quarter (or part of a quarter) in that term.

(2) The refund of the fee when the number of vehicles in an operator's licence is reduced is to be calculated by reference to the number of complete quarters remaining in the term of that licence instead of by reference to the number of months.

(3) A fee of £1 is to be payable in respect of an interim direction given under section 68(5) of the Transport Act 1968 on an application to vary an operator's licence.

(4) The fee payable in respect of an interim licence under section 67(5) of the Transport Act 1968 is to be paid when the request for such a licence is made instead of at the end of the period for which the licence is in force.

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