STATUTORY INSTRUMENTS

1990 No. 2640

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No. 2) Regulations 1990

Made - - - -	*20th December 1990*
Laid before Parliament	*11th January 1991*
Coming into force	*4th February 1991*

The Secretary of State for Transport, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation and supervision of the qualifications of persons engaged in road transport, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

1. These Regulations may be cited as the Goods Vehicles (Operators' Licences, Qualifications and Fees) (Amendment) (No. 2) Regulations 1990 and shall come into force on 4th February 1991.

2.—(1) The Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984(c) shall be amended in accordance with the following provisions of these Regulations.

(2) These Regulations shall not apply in relation to a certificate of professional competence issued before the date on which these Regulations come into force, or issued on or after that date to a person who has before that date passed the whole or part of the examination leading to the issue of the certificate.

3. In regulation 3(1) (Interpretation) in the definition of " the 1974 Council Directive " the words ", except in paragraph 7 of schedule 6," shall be deleted.

4. In schedule 6 sub-paragraph (6)(a) (Qualification for Licences) for the words " he is the holder of a certificate issued by an approved body to the effect that he possesses the requisite skills " there shall be substituted the words " he has demonstrated possession of the requisite skills by passing a written examination, which may take the form of a multiple-choice examination, organised by an approved body and he is the holder of a certificate to that effect issued by that approved body ".

Signed by authority of the
Secretary of State for Transport

Christopher Chope
Parliamentary Under Secretary of State,
Department of Transport

20th December 1990

(a) S.I. 1975/1707.
(b) 1972 c.68.
(c) S.I. 1984/176; the relevant amending instruments are S.I. 1986/666 and 1990/1849.

EXPLANATORY NOTE

(The note is not part of the Regulations)

These Regulations amend the Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984. They implement the outstanding requirements of Council Directive (EEC) No. 89/438 of 21st June 1989 (OJ No. L212,22.7.89,p.101) amending Council Directive (EEC) No. 74/561 of 12th November 1974 on admission to the occupation of road haulage operator in national and international transport operations (OJ No. L308,19.11.74,p.18).

The change made by these Regulations is that in order to obtain a certificate of professional competence the individual shall pass a written examination set by an approved body (regulation 4).

The requirement to pass an examination will not apply in relation to certificates of professional competence issued before the coming into force of the Regulations or issued on or after that date to a person who has before that date passed the whole or part of an examination leading to the issue of the certificate (regulation 2(2)).

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