STATUTORY INSTRUMENTS

1974 No. 1313

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1974

Made - - -	*29th July* 1974
Laid before Parliament	*7th August* 1974
Coming into Operation	*28th August* 1974

The Secretary of State for the Environment, in exercise of the powers conferred by section 91(1), (4) and (5) 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 section 91(8) of that Act, hereby makes the following Regulations:—

1. These Regulations may be cited as the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1974 and shall come into operation on 28th August 1974.

2. The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1972(**c**), as amended (**d**), shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

3.—(1) After Regulation 4 there shall be inserted the following Regulations:—

"*Exemptions for Northern Ireland or foreign goods vehicles used for the carriage of goods between EEC countries*

4A.—(1) Notwithstanding anything in Regulations 5 to 16 of these Regulations, section 60(1) of the Act shall not apply to the use in Great Britain of a Northern Ireland or foreign goods vehicle for the carriage of goods between member states of the European Economic Community—

(*a*) where the vehicle is—

(i) loaded and unloaded at places not more than 25 kilometres from a common land frontier between member states of the European Economic Community nor more than 50 kilometres in a straight line from each other, or

(**a**) 1968 c. 73. (**b**) S.I. 1970/1681 (1970 III, p. 5551).
(**c**) S.I. 1972/716 (1972 I, p. 2266).
(**d**) The amendment does not relate to the subject matter of these Regulations.

(ii) loaded and unloaded within a radius of 25 kilometres from the respective places where it is embarked in and disembarked from a means of transport constructed or adapted for the carriage of commercial vehicles by sea and operated on a regular service, or

(iii) a motor vehicle or a trailer drawn by a foreign goods vehicle having a permissible laden weight not exceeding 6 metric tons or a permissible pay load not exceeding 3·5 metric tons, or

(*b*) where the goods so carried are:—

(i) required for medical or surgical care in emergency relief and in particular for relief in natural disasters, or

(ii) goods which by reason of their value are carried in vehicles constructed or adapted for the carriage of goods requiring special security precautions and which are accompanied by guards, or

(iii) refuse or sewage.

(2) For the purpose of this Regulation the permissible laden weight and the permissible pay load of a vehicle shall be determined—

(*a*) by reference to the law of the country where the vehicle is registered or, in the case of a trailer which is not registered, to the law of the country where the drawing vehicle is registered; and

(*b*) in the case of a motor vehicle drawing a trailer, by reference to the aggregate of the permissible laden weights and of the permissible pay loads respectively of the drawing vehicle and trailer.

Exemption for Northern Ireland or foreign goods vehicles with international authorisations or licences

4B.—(1) Notwithstanding anything in Regulations 5 to 16 of these Regulations, section 60(1) of the Act shall not apply to the use in Great Britain of a Northern Ireland or foreign goods vehicle for the carriage of goods for hire or reward if the vehicle is used by virtue of a community authorisation or a E.C.M.T. licence and the authorisation or licence, as the case may be, is carried on the vehicle or, if the vehicle is a trailer, on the motor vehicle by which it is drawn.

(2) In this Regulation "community authorisation" means an authorisation granted pursuant to Council Regulation (EEC) No. 2829/72 of 28th December 1972 on the Community quota for the carriage of goods by road between Member States (**a**) and "E.C.M.T. licence" means a licence issued pursuant to the scheme adopted by Resolution of the Council of Ministers of the European Conference of Ministers of Transport on 14th June 1973.".

4. After Regulation 9 there shall be inserted the following Regulation:—

"*Exemption for Greek goods vehicles*

9A.—(1) In this Regulation—

"Greek goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is registered in the Hellenic Republic; and

(a) O.J. L298, 31.12.1972, p. 16 (S.E. 1972 (30-31 Dec.) p. 43).

(*b*) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Greek goods vehicle; and

"relevant date" means the date on which the agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hellenic Republic on the International Carriage of Goods by Road signed on the 26th February 1974(**a**) enters into force for the United Kingdom, which date will be notified in the London Gazette.".

(2) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a Greek goods vehicle for the carriage of any goods.".

5. After Regulation 11 there shall be inserted the following Regulation:—

"Exemptions for Luxembourg goods vehicles

11A.—(1) In this Regulation—

"Luxembourg goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is registered in the Grand Duchy of Luxembourg; and

(*b*) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Luxembourg goods vehicle; and

"relevant date" means the date on which the Arrangement between the Secretary of State for the Environment in the Government of the United Kingdom of Great Britain and Northern Ireland and the Minister of Transport of the Grand Duchy of Luxembourg relating to the International Carriage of Goods by Road signed on 26th March 1973 enters into force for the United Kingdom, which date will be notified in the London Gazette.

On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a Luxembourg goods vehicle for the carriage of any goods.".

Signed by authority of the Secretary of State

29th July 1974.

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

(a) Cmnd. 5590.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1972 so as to permit the temporary use in Great Britain without an operators licence granted under Part V of the Transport Act 1968 of—

(*a*) foreign goods vehicles carrying goods between member states of the European Economic Community on certain short range journeys, or where the vehicle and its load are within certain weight limits or for the carriage of certain classes of goods (Regulation 3);

(*b*) foreign goods vehicles used by virtue of an authorisation granted pursuant to Regulation No. 2829/72 dated 28th September 1972 of the Council of the European Committee or a licence issued pursuant to a scheme adopted by Resolution of the Council of Ministers of the European Conference of Ministers of Transport on 14th June 1973 (Regulation 3); and

(*c*) Greek or Luxembourg goods vehicles for the carriage of any goods (Regulations 4 and 5).

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