STATUTORY INSTRUMENTS

# 1978 No. 1110

# ROAD TRAFFIC

## The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1978

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|---|---|
| *Made - - - -* | 31*st July* 1978 |
| *Laid before Parliament* | 10*th August* 1978 |
| *Coming into Operation* | 31*st August* 1978 |

The Secretary of State for Transport, 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 1978 and shall come into operation on 31st August 1978.

**2.** The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1975(**c**), as amended(**d**), (which Regulations, as so amended, are hereinafter referred to as "the 1975 Regulations") shall be further amended in accordance with the following provisions of these Regulations.

**3.** In Regulation 5 of the 1975 Regulations (Exemptions for certain vehicles used for the carriage of goods between EEC countries), for paragraph (*a*) the following shall be substituted: —

"(*a*) where the vehicle is—

(i) loaded or unloaded at a place not more than 25 kilometres from the coast of Great Britain and unloaded or loaded (as the case may be) at a place not more than 25 kilometres from the coast of another Member State, and the distance between the place where the goods are loaded onto the vehicle and the place where they are off-loaded from the vehicle, when measured in a straight line (but disregarding so much of that distance as lies over the sea in a case where the vehicle is carried on sea transport specially constructed and equipped for the carriage of commercial vehicles and operated as a regular service) does not exceed 100 kilometres; or

(ii) a motor vehicle or 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".

**4.** In Regulation 6 of the 1975 Regulations (Exemptions for certain vehicles with international authorisations or licences), for the words "Council Regulation (EEC) No. 2829/72 dated 28th December 1972 on the Community

(**a**) 1968 c. 73. (**b**) S.I. 1970/1681. (**c**) S.I. 1975/1046.
(**d**) The relevant amending instruments are S.I. 1975/1713, 1977/2172

quota for the carriage of goods by road between Member States, as extended and amended by Council Regulation (EEC) No. 3256/74 dated 19th December 1974" there shall be substituted the words "Council Regulation (EEC) No. 3164/76 of 16th December 1976(a) on the Community quota for the carriage of goods by road between Member States".

**5.** In Regulation 14 of the 1975 Regulations (Exemptions and modifications for German Democratic Republic goods vehicles), in paragraph (1) the definition of "relevant date" shall be omitted and for paragraphs (2) to (5) there shall be substituted the following paragraph:—

"(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a German Democratic Republic goods vehicle for the carriage of any goods".

**6.**—(1) At the end of Schedule 1 to the 1975 Regulations (List of Goods) the following paragraphs shall be added:—

"27. Broken down vehicles.

28. Live animals when carried in vehicles constructed or permanently adapted for such carriage".

(2) In paragraph (2) of each of the Regulations in the 1975 Regulations the numbers of which are set out in column (A) in the Table below and which confer exemptions with respect to the description of goods vehicles set against each such number in column (B) of that Table the amendments specified against each such number in columns (C) and (D) of that Table shall be made (such amendments having the effect of adding to the said paragraph (2) of each of those Regulations a reference to certain of the items added to Schedule 1 to the 1975 Regulations by paragraph (1) above).

TABLE

| (A) Number of Regulation | (B) Description of goods vehicles | (C) Words to be Omitted | (D) Words to be inserted in place of the omitted words |
|---|---|---|---|
| 12 | Finnish goods vehicles | "and 26" | "26 and 28" |
| 13 | French goods vehicles | "and 25" | "25 and 27" |
| 15 | German Federal Republic goods vehicles | "and 24" | "24 and 27" |
| 18 | Irish Republic goods vehicles | "and 24" | "24, 27, and 28" |
| 19 | Italian goods vehicles | "and 24" | "24 and 27" |
| 23 | Portuguese goods vehicles | "and 24" | "24 and 28" |
| 25 | Spanish goods vehicles | "and 24" | "24 and 28" |

*William Rodgers,*
Secretary of State for Transport.

31st July 1978.

(a) O.J. L 357, 29.12.1976, p. 1.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1975 (as amended).

*Regulation* 3 amends Regulation 5 of the 1975 Regulations (which exempts from the requirement for an operator's licence the use in Great Britain of a Northern Ireland or foreign goods vehicle used for the carriage of goods between Member States of the European Economic Community) so as to clarify the extent of the exemption so far as regards cross-frontier traffic and to make it applicable in cases where the distance (exclusive of the sea crossing) between the point of loading and the point of unloading does not exceed 100 kilometres (formerly 50 kilometres).

*Regulation* 4 amends Regulation 6 of the 1975 Regulations (which exempts from the requirement for an operator's licence the use in Great Britain of a Northern Ireland or foreign goods vehicle for the carriage of goods for hire or reward when authorised pursuant to certain Council Regulations (EEC)) so as to update the reference to the Council Regulation under which such authorisations are now given.

*Regulation* 5 amends Regulation 14 of the 1975 Regulations (which exempts from the requirement for an operator's licence the use in Great Britain of German Democratic Republic goods vehicles when carrying certain goods or when operating under certain conditions) so that the exemption applies to any use in Great Britain of such vehicles when carrying any goods.

*Regulation* 6 adds two items to the list of goods in Schedule 1 to the 1975 Regulations and amends respectively Regulation 12 (Finnish goods vehicles), 13 (French goods vehicles), 15 (German Federal Republic goods vehicles), 18 (Irish goods vehicles), 19 (Italian goods vehicles), 23 (Portuguese goods vehicles) and 25 (Spanish goods vehicles) of the 1975 Regulations so as to extend to these goods vehicles, when used for carrying in Great Britain certain of these additional items, the exemption from the requirement for an operator's licence.

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