STATUTORY INSTRUMENTS

1975 No. 1046

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1975

Made - - - -	*22nd June* 1975
Laid before Parliament	*8th July* 1975
Coming into Operation	*29th July* 1975

The Secretary of State for the Environment (hereinafter referred to as "the Secretary of State") in exercise of the powers conferred by sections 89(1) and 91(1), (4) and (5) of the Transport Act 1968(**a**), and of all other enabling powers, and after consultation with representative organisations in accordance with section 91(8) of the said Act of 1968, and with the Council on Tribunals in relation to Regulation 30 of, and Schedule 8 to, these Regulations in accordance with the requirements of section 10 of the Tribunals and Inquiries Act 1971(**b**), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1975, and shall come into operation on 29th July 1975.

Revocation

2. The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1972(**c**), the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1972(**d**), the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1973(**e**) and the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1974(**f**) are hereby revoked.

Interpretation

3.—(1) In these Regulations—

"the Act" means the Transport Act 1968;

"foreign goods vehicle" means a goods vehicle—

(*a*) which has been brought temporarily into Great Britain and does not remain in Great Britain for more than three months;

(*b*) which is engaged in carrying goods by road on a journey some part of which has taken place, or will take place, outside the United Kingdom; and

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(**a**) 1968 c. 73.
(**b**) 1971 c. 62.
(**c**) S.I. 1972/716 (1972 I, p. 2266).
(**d**) S.I. 1972/1535 (1972 II, p. 4507).
(**e**) S.I. 1973/793 (1973 I, p. 2512).
(**f**) S.I. 1974/1313 (1974 II, p. 4994).

(*c*) which is not used at any time during the said journey for the carriage of goods loaded at one place in the United Kingdom and delivered at another place in the United Kingdom;

"loading" includes attaching to a drawing vehicle a trailer which has been loaded with goods before it is so attached, and "loaded" shall be construed accordingly;

"Northern Ireland goods vehicle" means a goods vehicle—

(*a*) which has been brought temporarily into Great Britain and does not remain in Great Britain for more than three months;

(*b*) which is engaged in carrying goods by road on a journey some part of which has taken place, or will take place, outside Great Britain;

(*c*) which is not used at any time during the said journey for the carriage of goods loaded at one place in Great Britain and delivered at another place in Great Britain;

(*d*) which, in the case of a motor vehicle, is registered in Northern Ireland; and

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

"relief vehicle" means a vehicle used for transporting goods which is sent to replace a vehicle which has broken down, and which continues the haul under cover of the licence, permit, or other document issued for the vehicle which has broken down.

(2) In these Regulations, unless the context otherwise requires, any reference to the use of a goods vehicle for the carriage of goods shall be construed as a reference to the use of that vehicle on roads for the carriage of those goods for hire or reward or for or in connection with any trade or business carried on by the user of the vehicle.

(3) For the purposes of these Regulations 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 the trailer.

(4) 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 2 of these Regulations were Acts of Parliament thereby repealed.

Exemptions for Northern Ireland and foreign goods vehicles used for certain purposes

4. Section 60(1) of the Act (Users of certain goods vehicles to hold operators' licences) shall not apply to the use in Great Britain of a Northern Ireland or foreign goods vehicle for the carriage only of such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6 and 7 of Schedule 1 to these Regulations.

(a) 1889 c. 63.

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

5. Notwithstanding anything in Regulations 7 to 29 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;

(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 those specified in paragraphs 8, 16, 23 or 25 of Schedule 1 to these Regulations.

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

6. Notwithstanding anything in Regulations 7 to 29 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 being used by virtue of an authorisation granted pursuant to Council Regulation (EEC) No. 2829/72 dated 28th December 1972(**a**) on the Community 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(**b**), or by virtue of 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, 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.

Exemptions and modifications for Austrian goods vehicles

7.—(1) In this Regulation "Austrian goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is owned by or operated by or on behalf of a person—

(i) who is authorised under Austrian law to use that vehicle for the carriage of goods in the Republic of Austria; or

(ii) who, if Austrian law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and

(*b*) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is an Austrian goods vehicle.

(**a**) O.J. L298, 31.12.1972, p. 16 (S.E. 1972 (30-31 Dec.) p. 43).
(**b**) O.J. L349, 28.12.1974, p. 5.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of an Austrian goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 23 and 24 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to the use in Great Britain of an Austrian goods vehicle which is a vehicle specified in Schedule 2 to these Regulations.

(4) In relation to an Austrian goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, section 60(1) of the Act shall have effect as set out in Schedule 4 to these Regulations.

(5) In relation to an Austrian goods vehicle used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 5 to these Regulations.

Exemption for Belgian goods vehicles

8.—(1) In this Regulation and in Regulation 13 of these Regulations "Belgian goods vehicle" means a foreign goods vehicle—

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

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

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

Exemption for Bulgarian goods vehicles

9.—(1) In this Regulation "Bulgarian goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is registered in the People's Republic of Bulgaria; and

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

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

Exemptions and modification for Czechoslovak goods vehicles

10.—(1) In this Regulation "Czechoslovak goods vehicle" means a foreign goods vehicle—

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

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

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Czechoslovak goods vehicle for the carriage of—

(*a*) any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 9, 17, 19, 20 and 21 of Schedule 1 to these Regulations; and

(*b*) any goods carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 1 metric ton.

(3) In relation to a Czechoslovak goods vehicle used for the carriage of goods other than as specified in paragraph (2) of this Regulation, section 60(1) of the Act shall have effect as set out in Schedule 6 to these Regulations.

Exemption for Danish goods vehicles

11.—(1) In this Regulation "Danish goods vehicle" means a foreign goods vehicle—

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

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

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

Exemptions and modifications for Finnish goods vehicles

12.—(1) In this Regulation—

"Finnish goods vehicle" means a foreign goods vehicle—

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

(*b*) which, in the case of a trailer, is operated by a person who is authorised under Finnish law to use that vehicle for the carriage of goods in the Republic of Finland; 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 Republic of Finland on International Road Transport signed on 8th April 1975 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 Finnish goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 10, 17, 18, 19, 20, 21 and 26 of Schedule 1 to these Regulations.

(3) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a Finnish goods vehicle which is—

(*a*) a motor vehicle the laden weight of which, including any trailer, does not exceed 6 metric tons;

(*b*) a trailer not drawn by a motor vehicle being a Finnish goods vehicle; or

(*c*) a relief vehicle.

(4) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain on a road of a Finnish goods vehicle used for the carriage of any goods, for or in connection with any trade or business carried on by the user of the vehicle.

(5) On and after the relevant date, in relation to a Finnish goods vehicle used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 5 to these Regulations.

Exemptions and modifications for French goods vehicles

13.—(1) In this Regulation "French goods vehicle" means a foreign goods vehicle, being either a motor vehicle or a trailer, which is owned by or operated by or on behalf of a person—

(*a*) who is authorised under French law to use that vehicle for the carriage of goods in the French Republic; or

(*b*) who, if French law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a French goods vehicle for the carriage of such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 16, 23, 24 and 25 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to the use in Great Britain of a French goods vehicle having a permissible laden weight not exceeding 6 metric tons or a permissible pay load not exceeding 3·5 metric tons.

(4) Section 60(1) of the Act shall not apply to the use in Great Britain of a French goods vehicle for the carriage of any goods if it is a trailer drawn by a motor vehicle being a Belgian goods vehicle or a Netherlands goods vehicle.

(5) In relation to a French goods vehicle, being a motor vehicle or a trailer drawn by a motor vehicle being a French goods vehicle, used for the carriage of goods other than those specified in paragraph (2) of this Regulation, and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 6 to these Regulations.

(6) In relation to a French goods vehicle, being a trailer drawn by a motor vehicle—

(*a*) being a foreign goods vehicle other than a French goods vehicle, a Belgian goods vehicle or a Netherlands goods vehicle; or

(*b*) not being a foreign goods vehicle,

used for the carriage of goods other than those specified in paragraph (2) of this Regulation, section 60(1) of the Act shall have effect as set out in Schedule 7 to these Regulations.

Exemptions and modifications for German Democratic Republic goods vehicles

14.—(1) In this Regulation—

"German Democratic Republic goods vehicle" means a foreign goods vehicle—

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

(*b*) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is a German Democratic Republic 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 German Democratic Republic on International Road Transport signed on 15th November 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 German Democratic Republic goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 16, 17, 20, 22 and 25 of Schedule 1 to these Regulations.

(3) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a German Democratic Republic goods vehicle—

(*a*) having a permissible laden weight not exceeding 1 metric ton; or

(*b*) which is a relief vehicle.

(4) On and after the relevant date, in relation to a German Democratic Republic goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, section 60(1) of the Act shall have effect as if for the words from "(*a*) for hire and reward" to the end of that subsection there were substituted the words "for or in connection with any trade or business carried on by him unless there is a document, carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn, containing the following particulars:—

(*a*) the place at which and the date on which the document was completed;

(*b*) the name and address of the carrier and an accurate description of the nature of his business;

(*c*) if the goods are to be accepted from, or delivered to, any other person, the name and address of that other person and an accurate description of the nature of his business;

(*d*) the loading point or points;

(*e*) the point or points at which the vehicle is to be unloaded;

(*f*) the nature of the load;

(*g*) the gross weight, or other indication of quantity, of the load;

(*h*) the carrying capacity of the vehicle, by weight;

(*i*) the registration number of the vehicle or, if that does not exist, the number of the chassis;

(*j*) the distance (in kilometres) of the loaded journey which has been made or is to be made in the German Democratic Republic before the vehicle enters Great Britain;

(*k*) the point or points at which the frontier of Great Britain is to be crossed; and

(*l*) the signature of the carrier or his authorised representative.".

(5) On and after the relevant date, in relation to a German Democratic Republic goods vehicle used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 5 to these Regulations.

(**a**) Cmnd. 6047.

Exemptions and modifications for German Federal Republic goods vehicles

15.—(1) In this Regulation "German Federal Republic goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is owned by or operated by or on behalf of a person—

(i) who is authorised under the law of the Federal Republic of Germany to use that vehicle for the carriage of goods in the Federal Republic of Germany; or

(ii) who, if the law of the Federal Republic of Germany permits him to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and

(*b*) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is a German Federal Republic goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a German Federal Republic goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 11, 16, 17, 19, 20, 21, 23 and 24 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to the use in Great Britain of a German Federal Republic goods vehicle—

(*a*) having a permissible laden weight not exceeding 6 metric tons or a permissible pay load not exceeding 3·5 metric tons; or

(*b*) which is a relief vehicle.

(4) In relation to a German Federal Republic goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, section 60(1) of the Act shall have effect as if for the words from "(*a*) for hire or reward" to the end of that subsection there were substituted the words "for or in connection with any trade or business carried on by him unless there is a document, carried on the vehicle containing the following particulars:—

(*a*) the name and address of the carrier and an accurate description of the nature of his business;

(*b*) the loading point or points and the name and address of the consignor;

(*c*) the point or points at which the vehicle is to be unloaded and the name and address of the consignee;

(*d*) the nature and gross weight, or other indication of quantity, of the load;

(*e*) the index mark and registration number of the vehicle;

(*f*) the point or points at which the frontier of Great Britain is to be crossed; and

(*g*) the signature of the carrier or his authorised representative and the date of signing.".

(5) In relation to a German Federal Republic goods vehicle used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 5 to these Regulations.

Exemption for Greek goods vehicles

16.—(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

(*b*) which, in the case of a trailer, is drawn in Great Britain only 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 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.

Exemptions and modifications for Hungarian goods vehicles

17.—(1) In this Regulation "Hungarian goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is registered in the Hungarian People's Republic; and

(*b*) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is an Hungarian goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of an Hungarian goods vehicle for the carriage of—

(*a*) any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 9, 17, 19, 20 and 21 of Schedule 1 to these Regulations; or

(*b*) any goods being carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 6 metric tons.

(3) In relation to an Hungarian goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, section 60(1) of the Act shall have effect as set out in Schedule 4 to these Regulations.

(4) In relation to an Hungarian goods vehicle used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraph (3) of this Regulation applies, section 60(1) of the Act shall have effect as set out in Schedule 5 to these Regulations.

Exemptions and modification for Irish Republic goods vehicles

18.—(1) In this Regulation "Irish Republic goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle—

(i) is registered in the Republic of Ireland; or

(**a**) Cmnd. 5590.

(ii) is registered in the United Kingdom of Great Britain and Northern Ireland but used primarily or substantially for the carriage of goods in the Republic of Ireland; and

(*b*) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is an Irish Republic goods vehicle.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of an Irish Republic goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 16, 17, 19, 20, 23 and 24 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to an Irish Republic goods vehicle which is a vehicle specified in Schedule 2 to these Regulations.

(4) Section 60(1) of the Act shall not apply to the use in Great Britain of an Irish Republic goods vehicle for the carriage in transit through the United Kingdom of any such goods as are specified in Schedule 3 to these Regulations.

(5) In relation to an Irish Republic goods vehicle used for the carriage of any goods, being carried for or in connection with any trade or business carried on by the user of the vehicle, section 60(1) of the Act shall have effect as set out in Schedule 4 to these Regulations.

Exemptions and modifications for Italian goods vehicles

19.—(1) In this Regulation "Italian goods vehicle" means a foreign goods vehicle, being either a motor vehicle or a trailer, which is owned by or operated by or on behalf of a person who is authorised under Italian law to use that vehicle for the carriage of goods in the Italian Republic.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of an Italian goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 16, 17, 19, 20, 23 and 24 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to the use in Great Britain of an Italian goods vehicle which is a vehicle specified in Schedule 2 to these Regulations.

(4) Section 60(1) of the Act shall not apply to the use in Great Britain of an Italian goods vehicle for the carriage in transit through the United Kingdom of any such goods as are specified in paragraphs 2 and 3 of Schedule 3 to these Regulations.

(5) In relation to an Italian goods vehicle, being a motor vehicle or a trailer drawn by a motor vehicle being an Italian goods vehicle, and being used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 6 to these Regulations.

(6) In relation to an Italian goods vehicle, being a trailer drawn by a motor vehicle not being an Italian goods vehicle, and being used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraphs (3) and (4) of this Regulation apply, section 60(1) of the Act shall have effect as set out in Schedule 7 to these Regulations.

Exemption for Luxembourg goods vehicles

20.—(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 drawn in Great Britain only by a motor vehicle which is a Luxembourg goods vehicle.

(2) 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.

Exemption for Netherlands goods vehicles

21.—(1) In this Regulation and in Regulation 13 of these Regulations "Netherlands goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is owned by or operated by or on behalf of a person—

(i) who is authorised under the law of the Kingdom of the Netherlands to use that vehicle for the carriage of goods in that Kingdom; or

(ii) who, if such law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that Kingdom; and

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

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

Exemption for Norwegian goods vehicles

22.—(1) In this Regulation "Norwegian goods vehicle" means a foreign goods vehicle—

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

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

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

Exemptions for Portuguese goods vehicles

23.—(1) In this Regulation "Portuguese goods vehicle" means a foreign goods vehicle—

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

(*b*) which, in the case of a trailer, is operated by a person who is authorised under Portuguese law to use that vehicle for the carriage of goods in the Portuguese Republic.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Portuguese goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 16, 17, 19, 20, 23 and 24 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to the use in Great Britain of a Portuguese goods vehicle which is a vehicle specified in Schedule 2 to these Regulations.

(4) Section 60(1) of the Act shall not apply to the use in Great Britain of a Portuguese goods vehicle for the carriage in transit through the United Kingdom of any such goods as are specified in Schedule 3 to these Regulations.

Exemption for Rumanian goods vehicles

24.—(1) In this Regulation "Rumanian goods vehicle" means a foreign goods vehicle—

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

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

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

Exemptions and modifications for Spanish goods vehicles

25.—(1) In this Regulation "Spanish goods vehicle" means a foreign goods vehicle—

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

(*b*) which, in the case of a trailer, is operated by a person who is authorised under Spanish law to use that vehicle for the carriage of goods in the Spanish State.

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Spanish goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 16, 17, 19, 20, 23 and 24 of Schedule 1 to these Regulations.

(3) Section 60(1) of the Act shall not apply to the use in Great Britain of a Spanish goods vehicle which is a vehicle specified in Schedule 2 to these Regulations.

(4) In relation to a Spanish goods vehicle being a motor vehicle or a trailer drawn by a motor vehicle being a Spanish goods vehicle, used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraph (3) of this Regulation applies, section 60(1) of the Act shall have effect as set out in Schedule 6 to these Regulations.

(5) In relation to a Spanish goods vehicle, being a trailer drawn by a motor vehicle not being a Spanish goods vehicle, used for the carriage of goods other than those specified in paragraph (2) of this Regulation and in circumstances other than those to which paragraph (3) of this Regulation applies, section 60(1) of the Act shall have effect as set out in Schedule 7 to these Regulations.

Exemption for Swedish goods vehicles

26.—(1) In this Regulation "Swedish goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is owned by or operated by or on behalf of a person—

(i) who is authorised under Swedish law to use that vehicle for the carriage of goods in the Kingdom of Sweden; or

(ii) who, if Swedish law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and

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

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

Exemption for Swiss goods vehicles

27.—(1) In this Regulation—

"Swiss goods vehicle" means a foreign goods vehicle—

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

(*b*) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is a Swiss 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 Swiss Federal Council on the International Carriage of Goods by Road signed on 20th December 1974 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 Swiss goods vehicle for the carriage of any goods.

Exemptions for Turkish goods vehicles

28.—(1) In this Regulation "Turkish goods vehicle" means a foreign goods vehicle—

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

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

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Turkish goods vehicle for the carriage of any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 16, 20, 23 and 24 of Schedule 1 to these Regulations.

Exemptions and modification for Yugoslav goods vehicles

29.—(1) In this Regulation "Yugoslav goods vehicle" means a foreign goods vehicle—

(*a*) which, in the case of a motor vehicle, is owned by or operated by or on behalf of a person—

(i) who is authorised under Yugoslav law to use that vehicle for the carriage of goods in the Socialist Federal Republic of Yugoslavia; or

(ii) who, if Yugoslav law permits him so to use that vehicle without being so authorised, uses that vehicle primarily or substantially for that purpose in that country; and

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

(2) Section 60(1) of the Act shall not apply to the use in Great Britain of a Yugoslav goods vehicle for the carriage of—

(*a*) any such goods as are specified in paragraphs 1, 2, 3, 4, 5, 6, 7, 9, 17, 19, 20, 21, 23 and 24 of Schedule 1 to these Regulations; and

(*b*) any goods carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 6 metric tons.

(3) In relation to a Yugoslav goods vehicle used for the carriage of goods other than those specified in paragraph (2) of this Regulation, section 60(1) of the Act shall have effect as set out in Schedule 6 to these Regulations.

Simplified procedure for the grant, etc. of operators' licences

30.—(1) Part V of the Act shall have effect subject to the modifications set out in Part I of Schedule 8 to these Regulations in relation to Northern Ireland and foreign goods vehicles.

(2) The Goods Vehicles (Operators' Licences) Regulations 1969(**a**) and the Goods Vehicles (Operators' Licences) (Fees) Regulations 1974(**b**) shall have effect subject to the amendments set out in Part II of the said Schedule in relation to Northern Ireland and foreign goods vehicles.

Signed by authority of
the Secretary of State.

22nd June 1975.

John Gilbert,
Minister for Transport,
Department of the Environment.

(**a**) S.I. 1969/1636 (1969 III, p. 5141).

(**b**) S.I. 1974/2060 (1974 III, p. 8040).

SCHEDULE 1

(see Regulations 4, 5, 7, 10, 12, 13, 14, 15, 17, 18, 19, 23, 25, 28 and 29)

1. Luggage being carried to or from an airport.
2. Goods being carried to or from an airport in a case where an air service has been diverted.
3. Postal packets (as defined by section 87 of the Post Office Act 1953(a)).
4. Damaged vehicles.
5. Animal corpses (other than those intended for human consumption) for the purpose of disposal.
6. Bees or fish stock.
7. The body of a deceased person.
8. Goods required for medical or surgical care in emergency relief and in particular for relief in natural disasters.
9. Goods carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose.
10. Household effects.
11. Live animals, other than animals intended for slaughter.
12. Live animals, other than bloodstock or animals intended for slaughter.
13. Spare parts for ocean-going ships.
14. Spare parts and provisions for ships.
15. Spare parts and provisions for ocean-going ships where such ships have been re-routed.
16. 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.
17. Works of art.
18. Antiques.
19. Goods carried exclusively for publicity or educational purposes.
20. Properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films.
21. Goods carried for fairs and exhibitions.
22. Goods carried for international fairs and exhibitions.
23. Refuse.
24. Garbage.
25. Sewage.
26. Perishable foodstuffs in a state of refrigeration.

SCHEDULE 2

(see Regulations 7, 18, 19, 23 and 25)

1. A vehicle having a permissible laden weight not exceeding 6 metric tons or a permissible pay load not exceeding 3·5 metric tons;
2. A goods vehicle carrying an abnormal indivisible load or other wide load provided that the requirements of the Motor Vehicles (Authorisation of Special Types) General Order 1973(b), as amended(c), are complied with; and
3. A relief vehicle.

(a) 1953 c. 36.
(b) S.I. 1973/1101 (1973 II, p.3343).
(c) The amendment is not relevant to the subject matter of these Regulations.

SCHEDULE 3

(see Regulations 18, 19 and 23)

1. Perishable foodstuffs;
2. Goods carried in circumstances such that the permissible pay load including that of trailers does not exceed 6 metric tons; and
3. Such goods as are specified in paragraph 9 of Schedule 1 to these Regulations.

SCHEDULE 4

(see Regulations 7, 17 and 18)

"**60.**—(1) Subject to subsection (2) of this section and to the other provisions of this Part of this Act, no person shall use a goods vehicle on a road for the carriage of goods for or in connection with any trade or business carried on by him except under a document carried on the vehicle, or, if that vehicle is a trailer, on the motor vehicle by which it is drawn, and containing particulars of the user of the goods vehicle, his trade or business, the goods being carried, their loading and unloading points, the vehicle, and the route."

SCHEDULE 5

(see Regulations 7, 12, 14, 15 and 17)

"**60.**—(1) Subject to subsection (2) of this section and to the other provisions of this Part of this Act, no person shall use a goods vehicle on a road for the carriage of goods for hire or reward except under a permit carried on the vehicle or, if that vehicle is a trailer, on the motor vehicle by which it is drawn, issued with the authority of the Secretary of State, and authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage."

SCHEDULE 6

(see Regulations 10, 13, 19, 25 and 29)

"**60.**—(1) Subject to subsection (2) of this section and to the other provisions of this Part of this Act, no person shall use a goods vehicle on a road for the carriage of goods—

(*a*) for hire or reward; or

(*b*) for or in connection with any trade or business carried on by him,

except under a permit carried on the vehicle or, if the vehicle is a trailer, on the motor vehicle by which it is drawn, issued with the authority of the Secretary of State, and authorising a motor vehicle for the carriage of goods on the journey on which the goods are being carried and, if a trailer is drawn by that motor vehicle, authorising the trailer for such carriage."

SCHEDULE 7

(see Regulations 13, 19 and 25)

"**60.**—(1) Subject to subsection (2) of this section and to the other provisions of this Part of this Act, no person shall use a trailer on a road for the carriage of goods—

(*a*) for hire or reward; or

(*b*) for or in connection with any trade or business carried on by him,

except under a permit, carried on the vehicle by which it is drawn, issued with the authority of the Secretary of State and authorising the trailer for the carriage of goods on the journey on which the goods are being carried."

SCHEDULE 8

(see Regulation 30)

PART I

MODIFICATIONS TO PART V OF THE TRANSPORT ACT 1968 IN RELATION TO NORTHERN IRELAND AND FOREIGN GOODS VEHICLES

Part V of the Act shall have effect:—

(*a*) as if in section 61(1) the words "Subject to subsection (2) of this section" and paragraph (*c*) were omitted, and as if for the last paragraph of the subsection there were substituted the following paragraph:—

"For the purposes of paragraph (*b*) of this subsection different types of trailers may be distinguished in a licence and a maximum number may be specified in the licence for trailers of each type.";

(*b*) as if section 61(2), (3) and (4) were omitted;

(*c*) as if for section 62(1), there were substituted the following subsection:—

"(1) A person applying for an operator's licence with a view to enabling goods vehicles brought temporarily into Great Britain to be used shall apply to such licensing authority as the Secretary of State may from time to time direct and shall not at any time hold more than one such licence.";

(*d*) as if in section 62(2) the words "or (*c*) he intends, if the application is granted, to acquire, or to obtain possession of under such an agreement" were omitted;

(*e*) as if section 62(3) were omitted;

(*f*) as if at the end of section 63(2) there were added the words "or notice of any application in respect of a vehicle brought temporarily into Great Britain.";

(*g*) as if in section 64(1) for the words from "whether the requirements" to the end of the subsection, there were substituted the words "whether the applicant satisfies the requirement that he is a fit and proper person to hold an operator's licence having regard in particular to his previous known conduct.";

(*h*) as if in section 64, subsection (2), the words "either or both of" and paragraph (*b*) in subsection (4), and subsection (5) were omitted;

(*i*) as if section 65 were omitted;

(*j*) as if for section 67(2) there were substituted the following subsection:—

"(2) With a view to enabling goods vehicles brought temporarily into Great Britain to be used, an operator's licence may be granted for any period not exceeding three months.";

(*k*) as if section 67(3) were omitted;

(*l*) as if in section 67(4) for the words "(*a*) the application; and (*b*) any appeal under section 70 of this Act arising out of the application, are" there were substituted the words "the application is";

(*m*) as if section 67(5) were omitted;

(*n*) as if in section 68(1) for paragraph (*a*) there were substituted the following paragraph:—

"(*a*) that additional vehicles be specified therein, or that the maximum number of trailers specified therein under paragraph (*b*) of section 61(1) of this Act be increased; or";

and as if paragraph (*c*) were omitted;

(*o*) as if in section 68(4) after sub-paragraph (*c*) there were added the following sub-paragraph:—

"or (*d*) where the application is in respect of a vehicle brought temporarily into Great Britain,";

(*p*) as if section 68(5) were omitted;

(*q*) as if in section 69, in subsection (1)(*a*), the words "section 65 of this Act or" and the last paragraph of subsection (5) were omitted;

(*r*) as if in section 70(2) for the words "on the ground that" to the end of the subsection there were substituted the words "from the refusal of an application to grant or vary an operator's licence in respect of a vehicle brought temporarily into Great Britain or from any direction given under sections 61(6) or 69(1) or (2) of this Act in respect of such a licence.";

(*s*) as if at the end of section 89(1) there were added the following proviso:—

"Provided that in the case of vehicles brought temporarily into Great Britain the licensing authority may waive the payment of such fees either wholly or in part.".

PART II

Amendments to Regulations in relation to Northern Ireland and Foreign Goods Vehicles

1. The Goods Vehicles (Operators' Licences) Regulations 1969 shall have effect as if:—

(*a*) in Regulation 4, paragraphs (1) and (2) were omitted;

(*b*) in Regulation 14(1), for the words "and may elect" onwards, there were substituted the words:—

"at a place specified by the person requiring its production.".

2. The Goods Vehicles (Operators' Licences) (Fees) Regulations 1974 shall have effect as if:—

(*a*) in Regulation 3, for paragraph (2) there were substituted the following paragraph:—

"(2) Whenever a motor vehicle is specified in an operator's licence the holder of the licence shall pay a fee at the rate of £1 in respect of each motor vehicle so specified."; and

(*b*) paragraph (4)(*a*) of Regulation 3 and Regulation 4 were omitted.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provisions for Northern Ireland goods vehicles and certain foreign goods vehicles brought temporarily into Great Britain; these provisions modify the requirements as to operators' licences under Part V of the Transport Act 1968. Earlier Regulations containing provisions in this respect are revoked, namely:—

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1972 (which contained provisions for goods vehicles registered in Austria, Belgium, Czechoslovakia, France, the Federal Republic of Germany, Hungary, Italy, the Netherlands, Norway, Rumania, Sweden and Yugoslavia),

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1972 (which contained provisions for goods vehicles registered in Denmark and Spain),

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1973 (which contained provisions for goods vehicles registered in Bulgaria), and

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1974 (which contained provisions for goods vehicles registered in Greece and Luxembourg).

No Regulations in this respect have previously existed as to goods vehicles registered in Finland, the German Democratic Republic, the Republic of Ireland, Portugal, Switzerland and Turkey.

As a result of these Regulations no operators' licence will be required in the cases of goods vehicles registered in Belgium, Bulgaria, Denmark, Greece, Luxembourg, the Netherlands, Norway, Rumania, Sweden and Switzerland.

The provisions in these Regulations are more liberal than those which previously existed in the cases of goods vehicles registered in Austria, France, the Federal Republic of Germany, Italy, Spain and Yugoslavia.

In the cases of goods vehicles registered in Belgium, Bulgaria, Czechoslovakia, Denmark, Greece, Hungary, Luxembourg, the Netherlands, Norway, Rumania and Sweden the provisions in these Regulations are similar to those which previously existed.

In certain cases a permit will be required in certain circumstances instead of an operator's licence, and in some cases where a person is using a goods vehicle in connection with any trade or business carried on by him a document containing certain particulars will be required.

Regulations 12 (Finland), 14 (the German Democratic Republic), 16 (Greece) and 27 (Switzerland) will come into operation when the relevant bilateral international agreement comes into operation; all the other Regulations will come into operation on 29th July 1975.

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