STATUTORY INSTRUMENTS

1974 No. 1492

ROAD TRAFFIC

The Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations 1974

Made - - - -	*6th September* 1974
Laid before Parliament	*10th September* 1974
Coming into Operation	*1st October* 1974

The Secretary of State for the Environment, in exercise of the powers conferred by section 119(1) and (3) of the Road Traffic Act 1972**(a)** and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 1st October 1974 and may be cited as the Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations 1974.

2. The Heavy Goods Vehicles (Drivers' Licences) Regulations 1969**(b)**, as amended **(c)**, shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

3. In Regulation 2 (Interpretation), in paragraph (1) after the definition of "the Act of 1967" there shall be inserted the following definition:—

" "the Act of 1972" means the Road Traffic Act 1972;".

4. In Regulation 28 (Exemptions)—

(*a*) in paragraph (1), after sub-paragraph (*t*), there shall be inserted the following sub-paragraph:—

"(*u*) play-buses.", and

(*b*) in paragraph (3), after sub-paragraph (*f*) there shall be inserted the following sub-paragraph:—

"(*g*) "play-bus" means a vehicle—

(*a*) originally constructed to carry passengers but which has been adapted to carry goods or burden of any description;

(*b*) which is owned by a person or a body of persons carrying on activities which consist of, or include, the provision of play equipment for children by making it available at different places to which it is conveyed by that vehicle otherwise than in the course of a trade or business carried on with a view to profit; and

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(a) 1972 c. 20. **(b)** S.I. 1969/903 (1969 II, p. 2582).

c) The relevant amending instruments are S.I. 1971/736, 1972/1956, 1973/1212 (1971 II, p. 2049; 1972 III, p. 5831, 1973 II, p. 3646).

(*c*) which is used on roads while being driven by a person who is not the holder of a full licence granted under Part IV of the Act of 1972 to drive heavy goods vehicles of a class to which the vehicle belongs only—

(i) by or on behalf of that person or body referred to in paragraph (*b*) in connection with the said activities,

(ii) for the carriage of that equipment and of articles required in connection with its use by children to or from a place where it is to be or has been made available for such use.

For the purposes of the application of paragraph (*c*) of this definition in relation to any vehicle, no account shall be taken of a use of the vehicle (whether or not it is then carrying such equipment as aforesaid) in a case where, by reason of a mechanical defect in the vehicle, it is being driven for the purposes only of proceeding to or from a place where the defect is to be or has been remedied, or in such circumstances that it would not be chargeable with duty by virtue of section 5 of the Vehicles (Excise) Act 1971(**a**) in respect of its use on public roads, in those circumstances".

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

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

EXPLANATORY NOTE

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

These Regulations amend the Heavy Goods Vehicles (Drivers' Licences) Regulations 1969 (as amended) by adding play-buses to the classes of heavy goods vehicles which are exempted from Part IV of the Road Traffic Act 1972 (which relates to the licensing of drivers of heavy goods vehicles) by Regulation 28.

(**a**) 1971 c. 10.

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