



# **Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010**

## **CHAPTER 2**

### **GOODS VEHICLES (LICENSING OF OPERATORS) ACT (NORTHERN IRELAND) 2010**

#### *Operators' licences*

1. Operators' licences
2. “Standard” and “restricted” licences
3. Temporary exemptions

#### *Vehicles authorised to be used under a licence*

4. Vehicles authorised to be used under operator's licence
5. Maximum numbers of vehicles

#### *Operating centres*

6. Operating centres to be specified in operators' licences

#### *Applications for licences*

7. Application for operators' licences
8. Notification of events subsequent to the making of an application
9. Publication by Department of notice of application for licence

**Status:** Point in time view as at 01/07/2012.

**Changes to legislation:** There are currently no known outstanding effects for the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010. (See end of Document for details)

10. Publication in locality affected of notice of application for licence
11. Objections to, and representations against, issue of operators' licences

*Determination of applications*

12. Determination of applications for operators' licences
- 12A Requirements for standard licences
- 12B Requirements for restricted licences
- 12C Requirements for standard and restricted licences
- 12D Further requirement for standard and restricted licences
- 12E Professional competence for restricted licence holders
13. Determination where objections etc are made on environmental grounds
14. Issue of operators' licences
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*Variation of licences*

16. Variation of operators' licences
17. Publication of notice of applications for variation in any locality affected
18. Objection to, and refusal of, applications to vary operators' licences on environmental grounds
19. Variation of licences: further provisions

*Conditions of licences*

20. Conditions of licences

*Interim licences and interim variations*

21. Interim operators' licences
22. Interim variations

*Revocation etc of operators' licences*

23. Revocation, suspension and curtailment of operators' licences
24. Revocation of standard licences
25. Disqualification
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27. Periods of review for operating centres
28. Power to remove operating centres on review
29. Power to attach conditions on review

*Transfer of operating centres*

30. Transfer of operating centres

*Environmental matters*

31. Determinations as to environmental matters

*Inquiries and assessors*

32. Power of Department to hold inquiries
33. Power of Department to appoint assessors

*Review of decisions and appeals*

34. Review of decisions
35. Rights of appeal in connection with operators' licences

*Forgery, false statements, etc*

36. Forgery of documents etc
37. False statements

*Enforcement*

38. Powers of entry
39. Power to seize documents etc
40. Obtaining of information etc by authorised persons
41. Obstruction of authorised persons
42. Exercise of enforcement powers: authorised persons and constables
43. Evidence by certificate
44. Detention of vehicle used without operator's licence
45. Prosecutions

*Miscellaneous*

46. Disclosure of information
47. Fees
48. Operators' licences not to be transferable
49. Certificates of qualification
50. Method of calculating weight of vehicles
51. Payment of grants

*Application of this Act: special cases*

52. Application of Act to holding companies and subsidiaries
53. Application of Act to partnerships
54. Application of Act to the Crown

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55. Application of Act to harbours

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- 56. Supplementary provision
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- 59. Amendments and repeals
- 60. Commencement
- 61. Short title

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SCHEDULES

SCHEDULE 1 — TRANSFER OF OPERATING CENTRES

*Transfers in connection with new licences*

- 1. (1) Where in the case of any application for an...
- 2. (1) The provisions of this paragraph have effect in relation...

*Transfers in connection with the variation of licences*

- 3. (1) Where in the case of an application for the...
- 4. (1) The provisions of this paragraph have effect in relation...

SCHEDULE 2 — DETENTION OF VEHICLES USED WITHOUT OPERATOR'S LICENCE

*Detention of property*

- 1. Regulations may provide that where an authorised person has reason...
- 2. Regulations may make provision with respect to property detained by...

*Immobilisation and removal*

- 3. (1) Regulations may provide that an authorised person may, before...
- 4. (1) Regulations may provide that a person who, without being...
- 5. (1) Regulations may make provision for an authorised person to...
- 6. (1) Regulations may make provision for informing persons who may...

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#### *Return or disposal of vehicle*

7. Regulations may make provision authorising a vehicle detained by virtue...
8. (1) Regulations shall make provision enabling the owner of a...
9. (1) Regulations shall make provision— (a) enabling the Department to...
10. (1) Regulations shall provide for an appeal to the Upper...
11. Regulations may provide that, if no application is made to...

#### *Return or disposal of contents of vehicle*

12. (1) Regulations may provide that the person specified in a...

#### *Custody of property*

13. Regulations shall provide that, subject to the powers of a...

#### *Proceeds of sale*

14. (1) Regulations shall provide for the proceeds of sale of...

#### *Disputes*

15. (1) Regulations may make provision about the proceedings to be...

#### *Offences as to securing possession of property*

16. (1) Regulations may provide that where— (a) a person makes...

#### *Interpretation*

17. (1) In this Schedule— “contents”, in relation to a goods...

### SCHEDULE 3 — AMENDMENTS

#### *The Transport Act (Northern Ireland) 1967 (c. 37)*

1. In section 31(1) for “Parts II and III” substitute “...
2. In section 34(b) for “mark or permit” substitute “ or...
3. In section 37(2) for “Parts II and III” substitute “...
4. In section 43(1) for “Parts II and III” substitute “...
5. In section 45(g) for “Parts II and III” substitute “...
6. In section 45(i) for “Parts II and III” substitute “...
7. In section 46 for “Parts II and III” substitute “...
8. In section 46A(1) for “7, 10, 15, 15A, 28A and...

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*The International Road Haulage Permits Act 1975 (c. 46)*

9. In section 1(8) for “Part III of the Transport Act...

*The Road Traffic (Northern Ireland) Order 1981 (NI 1)*

10. In Article 87(1) after “the Transport Act (Northern Ireland) Act...”  
11. In Schedule 1 at the end insert— Sections 38, 39...

*The Road Traffic (Northern Ireland) Order 1995 (NI 18)*

12. In Article 74(1) for “Parts II to IV” substitute “...  
13. In Article 111(2)— (a) for the words “Parts II and...”

SCHEDULE 4 — REPEALS

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