2010 CHAPTER 2

Variation of licences

Variation of operators' licences

16.—(1) Subject to section 17, on the application of the holder of an operator's licence, the Department may vary the licence by directing—

(a) that additional motor vehicles be specified in the licence or that any maximum number specified in it under section 5 be increased;

(b) that any vehicle cease to be specified in the licence or that any maximum number specified in it under section 5 be reduced;

(c) that any provision in the licence such as is mentioned in section 4(2) cease to have effect;

(d) that a provision such as is mentioned in section 4(2) be included in the licence;

(e) that any provision in the licence such as is mentioned in section 5(1)(b) or (2)(b) cease to have effect;

(f) that a provision such as is mentioned in section 5(1)(b) or (2)(b) be included in the licence;

(g) **[**[F1]in the case of a heavy goods vehicle**]** that a new place be specified in the licence as an operating centre of the licence-holder, or that any place cease to be so specified;

(h) that any undertaking recorded in the licence be varied or removed;

(i) that any condition attached to the licence be varied or removed;

(j) in the case of a restricted licence, that it be converted into a standard licence or, in the case of a standard licence, that it be converted into a restricted licence;

(k) in the case of a standard licence, that it cover both international and national transport operations instead of national transport operations only, or vice versa.

(2) An application for the variation of a licence under this section shall be made in such form and include such declarations and information as may be prescribed.

(3) The Department may require an applicant to furnish such other information as it considers necessary for dealing with the application.

(4) Except in the cases mentioned in subsection (5), the Department shall publish notice of any application for the variation of an operator's licence under this section, and shall do so in the manner prescribed for the publication of notices under section 9(1).

(5) The excepted cases are—

(a) where the application is for a direction under subsection (1)(a) that additional motor vehicles be specified in the licence;

(b) where the application is for a direction under subsection (1)(b), (d) or (f);

(c) where the application is for a direction under subsection (1)(g) that a place cease to be specified in a **[**[F2]heavy goods vehicle**]** licence as an operating centre of the licence-holder;

(d) where the application is for a direction under subsection (1)(j) that a standard licence be converted into a restricted licence;

(e) where the application is for a direction under subsection (1)(k) that a licence cover national transport operations only, instead of both national and international transport operations;

(f) where the Department is satisfied that the application is of so trivial a nature that it is not necessary that an opportunity should be given for objecting to it or making representations against it.

(6) Where notice of an application is published under subsection (4), the following provisions, namely—

(a) section 9(2),

(b) section 11(1)(a), (6), (8) and (9)(a),

(c) **[**[F3]sections 12 to 12E**]** , and

(d) section 14,

shall, with any necessary modifications and subject to section 18, apply in relation to that application as they apply in relation to an application for an operator's licence of which notice is published under section 9(1).

Textual Amendments

F1 Words in s. 16(1)(g) inserted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **87(1)**

F2 Words in s. 16(5)(c) inserted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **87(2)**

F3 Words in s. 16(6)(c) substituted (1.7.2012) by The Goods Vehicles (Qualifications of Operators) Regulations (Northern Ireland) 2012 (S.R. 2012/257), regs. 1(1), **17(7)**

Modifications etc. (not altering text)

C1 S. 16(2) applied (1.7.2012) by The Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012 (S.R. 2012/261), regs. 1, **27(10)**

Commencement Information

I1 S. 16 in operation at 22.6.2012 for specified purposes by S.R. 2012/247, art. 2, **Sch.**

I2 S. 16 in operation at 1.7.2012 in so far as not already in operation by S.R. 2012/262, **art. 2** (with arts. 4-6)

Changes to legislation:
There are currently no known outstanding effects for the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010, Section 16.