



Goods Vehicles (Licensing of Operators) Act 1995

CHAPTER 23

GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995

Functions of traffic commissioners

- 1 Functions of traffic commissioners.

Operators' licences

- 2 Obligation to hold operator's licence.
- 2A Detention of vehicle used without operator's licence.
- 3 "Standard" and "restricted" licences.
- 4 Temporary exemptions.

Vehicles authorised to be used under a licence

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

Operating centres

- 7 Operating centres to be specified in operators' licences.

Applications for licences

- 8 Applications for operators' licences.
- 9 Convictions etc. subsequent to the making of an application.
- 10 Publication by traffic commissioner of notice of application for licence.
- 11 Publication in locality affected of notice of application for licence.
- 12 Objections to, and representations against, issue of operators' licences.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Goods Vehicles (Licensing of Operators) Act 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Determination of applications

- 13 Determination of applications for operators' licences.
- 14 Determinations where objections etc are made on environmental grounds.
- 15 Issue of operators' licences.
- 16 Duration of operators' licences.

Variation of licences

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

Conditions attached to licences

- 21 Conditions for securing road safety.
- 22 Conditions as to matters required to be notified to traffic commissioner.
- 23 Conditions as to use of operating centres.

Interim licences and interim variations

- 24 Interim operators' licences.
- 25 Interim variations.

Revocation etc. of operators' licences

- 26 Revocation, suspension and curtailment of operators' licences.
- 27 Revocation of standard licences.
- 28 Disqualification.
- 29 Revocation and disqualification etc: supplementary provisions.

Review of operating centres

- 30 Periods of review for operating centres.
- 31 Power to remove operating centres on review.
- 32 Power to attach conditions on review.

Transfer of operating centres

- 33 Transfer of operating centres.

Environmental matters

- 34 Determinations as to environmental matters.

Inquiries

- 35 Power of traffic commissioners to hold inquiries.

Review of decisions and appeals

- 36 Review of decisions.
- 37 Rights of appeal in connection with operators' licences.

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Forgery, false statements, etc.

- 38 Forgery of documents, etc.
- 39 False statements.

Enforcement etc.

- 40 Inspection of maintenance facilities.
- 41 Power to seize documents etc.
- 42 Meaning of “officer” and powers of police constables.
- 43 Evidence by certificate.

Miscellaneous

- 44 Assessors.
- 45 Fees.
- 46 Holding companies and subsidiaries.
- 47 Partnerships.
- 48 Operators’ licences not to be transferable etc.
- 49 Certificates of qualification.

Large goods vehicles

- 50 Large goods vehicles.

General provisions

- 51 Time for bringing proceedings.
- 52 Destination of fines: Scotland.
- 53 Method of calculating weight of motor vehicles.
- 54 Saving for law of nuisance.
- 55 Protection of public interests.
- 56 Secretary of State’s power to hold inquiries.

Regulations and orders

- 57 Regulations and orders.

Interpretation

- 58 General interpretation.

Supplementary provisions

- 59 Transitional provision etc.
- 60 Consequential amendments and repeals.
- 61 Commencement.
- 62 Short title and extent.

SCHEDULES

SCHEDULE 1 — Meaning of “small goods vehicle”

- 1 For the purposes of section 2 a small goods vehicle...
- 2 A goods vehicle falls within this paragraph if it does...
- 3 (1) A goods vehicle falls within this paragraph if it...
- 4 A goods vehicle falls within this paragraph if it forms...

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5 In any provision of paragraphs 2 to 4 “relevant plated...

SCHEDULE 1A — Detention of vehicles used without operator’s licence

Interpretation

1 (1) In this Schedule— “ authorised person ” means— an...

Detention of property

2 (1) Regulations may provide that where an authorised person has...

3 Regulations may make provision with respect to property detained by...

Immobilisation and removal

4 (1) Regulations may provide that an authorised person may, before...

5 (1) Regulations may provide that a person who, without being...

6 (1) Regulations may make provision for an authorised person to...

7 (1) Regulations may make provision for informing persons who may...

Return or disposal of vehicle

8 Regulations may make provision for a goods vehicle detained by...

9 (1) Regulations shall make provision enabling the owner of a...

10 (1) Regulations shall make provision— (a) enabling the traffic commissioner...

11 (1) Regulations shall provide for an appeal to the Transport...

12 Regulations may provide that, if no application is made to...

Return or disposal of contents of vehicle

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

Custody of property

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

Proceeds of sale

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

Disputes

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

Obstruction of authorised person

17 Regulations may provide that a person who intentionally obstructs an...

Offences as to securing possession of property

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

SCHEDULE 2 — Information about, and convictions of, applicants for and holders of operators’ licences

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Information to be given under section 8

- 1 The information referred to in section 8(4) is the following—...
- 2 In this Schedule “relevant person” means any of the following...
- 3 In paragraph 1(e) “relevant activities” means any of the following—...
- 4 The following are “notifiable convictions”, namely— (a) any conviction of...

Offences

- 5 The offences are— (a) an offence under section 53 of...

Repealed enactments

- 6 (1) In paragraph 5 any reference to an offence under...

SCHEDULE 3 — Qualifications for standard licence

Good repute

- 1 (1) In determining whether an individual is of good repute,...
- 2 Without prejudice to the generality of a traffic commissioner’s power...
- 3 (1) A person has a conviction of a “serious offence”...
- 4 “Road transport offence” means— (a) an offence under the law...
- 5 (1) Any reference in paragraphs 1 to 4 to an...

Appropriate financial standing

- 6 (1) An applicant for, or the holder of, a standard...

Professional competence

- 7 In this Schedule references to “the requirement of professional competence”...
- 8 (1) The requirement of professional competence falls to be satisfied...
- 9 Where an individual is not himself professionally competent, he shall...
- 10 Where the holder of a standard licence relies on a...
- 11 Where— (a) the holder of a standard licence is a...
- 12 Paragraphs 1 to 5 shall have effect for the purposes...
- 13 (1) An individual shall be regarded as professionally competent if,...
- 14

Transport manager to be notified of proceedings

- 15 (1) A traffic commissioner shall not in any proceedings under...

SCHEDULE 4 — 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...

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SCHEDULE 5 — Large Goods Vehicles

Meaning of “large goods vehicle”

- 1 (1) For the purposes of this Schedule, a large goods...

Consignment notes

- 2 (1) Subject to sub-paragraph (2), no goods shall be carried...

Powers of entry and inspection

- 3 (1) An officer may require any person to produce and...

Falsification of consignment notes and records

- 4 (1) Any person who— (a) makes, or causes to be...

Amendment of sections 38, 41 and 42 of this Act

- 5 (1) The following amendments shall take effect on the day...

SCHEDULE 6 — Transitional provisions, transitory modifications and savings

General transitional provisions

- 1 The substitution of this Act for the provisions repealed and...
 2 In so far as any thing done (including any subordinate...
 3 Any reference (express or implied) in this Act or any...
 4 Any reference (express or implied) in any enactment, instrument or...
 5 Paragraphs 1 to 4 have effect, in relation to the...

Meaning of “local authority” in relation to Scotland or Wales

- 6 In section 12(12), in the definition of the expression “local...

Meaning of “holding company” and “subsidiary”

- 7 For the purposes of this Act as it applies in...

SCHEDULE 7 — Consequential amendments

The Road Traffic Act 1960 (c. 16)

- 1 In section 232 of the Road Traffic Act 1960 (duty...
 2 In section 244 of that Act (time for bringing summary...

The Transport Act 1968 (c. 73)

- 3 In section 51 of the Transport Act 1968 (subsidiaries and...
 4 In section 158 of that Act (inquiries), in subsection (1),...

Road Traffic (Foreign Vehicles) Act 1972 (c. 27)

- 5 (1) In section 4 of the Road Traffic (Foreign Vehicles)...
 6 In Schedule 2 to that Act (provisions relating to vehicles...

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International Road Haulage Permits Act 1975 (c. 46)

- 7 In section 1 of the International Road Haulage Permits Act...

Transport Act 1982 (c. 49)

- 8 In section 8 of the Transport Act 1982 (private-sector vehicle...

London Regional Transport Act 1984 (c. 32)

- 9 In section 62 of the London Regional Transport Act 1984...

Transport Act 1985 (c. 67)

- 10 In Schedule 4 to the Transport Act 1985 (constitution, powers...

Road Traffic Act 1988 (c. 52)

- 11 In section 66A of the Road Traffic Act 1988 (appointment...
12 (1) In section 73 of that Act (provisions supplementary to...
13 In section 85 of that Act (interpretation of Part II),...
14 In section 86 of that Act (index of defined expressions),...

SCHEDULE 8 — Repeals and revocations

Part I — ENACTMENTS REPEALED

Part II — SUBORDINATE LEGISLATION REVOKED

TABLE OF
DERIVATIONS

- 1 *Notes:*
2 The following abbreviations are used in the Table:— Acts of...
3 The Table does not separately acknowledge the provisions in the...
4 The functions originally vested in the Minister of Transport by...

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 1(2) text amended by 2008 c. 26 s. 3(2)(b)
- s. 2(1) amendment to earlier affecting provision SI 1996/2186 by S.I. 2004/462 reg. 2
- s. 2(1A)-(1C) inserted by S.I. 2011/2632 Sch. 2 para. 2(2)
- s. 2(2)(a) omitted by S.I. 2011/2632 Sch. 2 para. 2(3)
- s. 2(3) substituted by S.I. 2011/2632 Sch. 2 para. 2(4)
- s. 4(4) omitted by S.I. 2011/2632 Sch. 2 para. 3
- s. 5 amendment to earlier affecting provision 2000 c. 38 s. 263 by 2008 c. 26 s. 125(2)-(4)
- s. 5(6) text amended by 2008 c. 26 s. 125(1)(a)
- s. 5(7) text amended by 2008 c. 26 s. 125(1)(b)
- s. 9(1) text amended by 2006 c. 49 s. 6(2)
- s. 9(3)(b) text amended by 2006 c. 49 s. 6(3)
- s. 12(1)(a) words substituted by S.I. 2011/2632 Sch. 2 para. 4(2)
- s. 12(11) words substituted by S.I. 2011/2632 Sch. 2 para. 4(3)(a)
- s. 12(11)(a) words substituted by S.I. 2011/2632 Sch. 2 para. 4(3)(b)
- s. 12(11)(b) words substituted by S.I. 2011/2632 Sch. 2 para. 4(3)(c)
- s. 13-13D substituted for s. 13 by S.I. 2011/2632 Sch. 2 para. 5
- s. 15(2) words substituted by S.I. 2011/2632 Sch. 2 para. 6(2)(a)
- s. 15(2) words substituted by S.I. 2011/2632 Sch. 2 para. 6(2)(b)
- s. 15(4) words substituted by S.I. 2011/2632 Sch. 2 para. 6(3)
- s. 16(5) text amended by 2005 c. 9 Sch. 6 para. 40(2)
- s. 17(3) excluded by 2006 c. 12 s. 16E(3) (as inserted) by 2011 c. 22 s. 9
- s. 17(5)(c) words substituted by S.I. 2011/2632 Sch. 2 para. 7
- s. 18 excluded by 2006 c. 12 s. 16E(3) (as inserted) by 2011 c. 22 s. 9
- s. 22(2)(a) words substituted by S.I. 2011/2632 Sch. 2 para. 8(2)(a)
- s. 22(2)(b) words omitted by S.I. 2011/2632 Sch. 2 para. 8(2)(b)(i)
- s. 22(2)(b) words substituted by S.I. 2011/2632 Sch. 2 para. 8(2)(b)(ii)
- s. 22(3) omitted by S.I. 2011/2632 Sch. 2 para. 8(2)(c)
- s. 22(5) words substituted by S.I. 2009/1941 Sch. 1 para. 153(2)
- s. 22(6) words substituted by S.I. 2011/2632 Sch. 2 para. 8(2)(d)
- s. 24(5) text amended by S.I. 2009/1885 Sch. 1 para. 19
- s. 24(7A) inserted by S.I. 2011/2632 Sch. 2 para. 9(a)
- s. 24(8) word inserted by S.I. 2011/2632 Sch. 2 para. 9(b)
- s. 24(9)(a) text amended by S.I. 2009/1885 Sch. 1 para. 19
- s. 26(1)(d) text amended by 2006 c. 49 s. 6(5)
- s. 26(1)(ca) inserted by 2006 c. 49 s. 6(4)
- s. 27(1) words substituted by S.I. 2011/2632 Sch. 2 para. 10(2)
- s. 27(3A)(3B) inserted by S.I. 2011/2632 Sch. 2 para. 10(3)
- s. 27(4) words substituted by S.I. 2011/2632 Sch. 2 para. 10(4)
- s. 28(8) words substituted by S.I. 2009/1941 Sch. 1 para. 153(3)
- s. 29(2) text amended by S.I. 2009/1885 Sch. 1 para. 20(a)
- s. 29(3) text amended by S.I. 2009/1885 Sch. 1 para. 20(b)
- s. 29(4) omitted by S.I. 2009/1885 Sch. 1 para. 20(c)
- s. 35(1) words inserted by S.I. 2011/2632 Sch. 2 para. 11(2)
- s. 35(2) words inserted by S.I. 2011/2632 Sch. 2 para. 11(3)(b)
- s. 35(2) words substituted by S.I. 2011/2632 Sch. 2 para. 11(3)(a)
- s. 35(3) words inserted by S.I. 2011/2632 Sch. 2 para. 11(4)
- s. 35(4)(b) words inserted by S.I. 2011/2632 Sch. 2 para. 11(5)(a)
- s. 35(4)(c) text amended by S.I. 2009/1885 Sch. 1 para. 21
- s. 35(4)(c) words inserted by S.I. 2011/2632 Sch. 2 para. 11(5)(b)

- s. 37(1) text amended by S.I. 2009/1885 Sch. 1 para. 22(a)
- s. 37(2)-(6) text amended by S.I. 2009/1885 Sch. 1 para. 22(b)
- s. 38(2)(e) words inserted by S.I. 2011/2632 Sch. 2 para. 12
- s. 39(1)(e) words inserted by S.I. 2011/2632 Sch. 2 para. 13
- s. 43(2)(ha) inserted by S.I. 2011/2632 Sch. 2 para. 14
- s. 44(1) words inserted by S.I. 2011/2632 Sch. 2 para. 15
- s. 46(3) words omitted by S.I. 2011/2632 Sch. 2 para. 16(a)
- s. 46(3)(a) word substituted by S.I. 2011/2632 Sch. 2 para. 16(b)
- s. 48(2) text amended by 2005 c. 9 Sch. 6 para. 40(3)(a)(i)
- s. 48(2)(a) text amended by 2005 c. 9 Sch. 6 para. 40(3)(a)(ii)
- s. 48(5) text amended by 2005 c. 9 Sch. 6 para. 40(3)(b)
- s. 49(2)(b) words substituted by S.I. 2011/2632 Sch. 2 para. 17(a)
- s. 49(5) words substituted by S.I. 2011/2632 Sch. 2 para. 17(b)
- s. 56 repealed by 2004 c. 14 Sch. 1 Pt. 14
- s. 58(1) words inserted by S.I. 2011/2632 Sch. 2 para. 18(4)
- s. 58(1) words omitted by S.I. 2011/2632 Sch. 2 para. 18(2)
- s. 58(1) words substituted by S.I. 2009/1941 Sch. 1 para. 153(4)
- s. 58(1) words substituted by S.I. 2011/2632 Sch. 2 para. 18(3)
- s. 58(1) words substituted by S.I. 2011/2632 Sch. 2 para. 18(5)
- Sch. 1 para. 1A inserted by S.I. 2011/2632 Sch. 2 para. 19(3)
- Sch. 1 para. 1 omitted by S.I. 2011/2632 Sch. 2 para. 19(2)
- Sch. 1A para. 11(2) omitted by S.I. 2009/1885 Sch. 1 para. 23(b)
- Sch. 1A para. 8 substituted by 2008 c. 26 s. 126(2)
- Sch. 1A para. 11(1) text amended by S.I. 2009/1885 Sch. 1 para. 23(a)
- Sch. 2 para. 1(fa) inserted by 2006 c. 49 s. 6(6)
- Sch. 2 para. 7 inserted by 2006 c. 49 s. 6(7)
- Sch. 2 para. 5(ia) inserted by S.I. 2007/3538 Sch. 21 para. 24
- Sch. 2 para. 5(ia) text amended by S.I. 2010/675 Sch. 26 Pt. 1 para. 12
- Sch. 3 para. 3(3)(c) and word inserted by S.I. 2011/2298 Sch. para. 12(3)(b)
- Sch. 3 para. 13(1A) inserted by S.I. 2011/2632 Sch. 2 para. 20(5)(a)
- Sch. 3 para. 15(1)(d) and word inserted by S.I. 2011/2632 Sch. 2 para. 20(6)(a)(iii)
- Sch. 3 para. 15(2A) inserted by S.I. 2011/2632 Sch. 2 para. 20(6)(b)
- Sch. 3 para. 16 17 inserted by S.I. 2011/2632 Sch. 2 para. 20(7)
- Sch. 3 para. 5(1) modified by S.I. 2009/1059 Sch. 1 para. 34(a)
- Sch. 3 para. 5(1A) modified by S.I. 2009/1059 Sch. 1 para. 34(b)
- Sch. 3 para. 6 omitted by S.I. 2011/2632 Sch. 2 para. 20(2)
- Sch. 3 para. 10 omitted by S.I. 2011/2632 Sch. 2 para. 20(3)
- Sch. 3 para. 11 omitted by S.I. 2011/2632 Sch. 2 para. 20(3)
- Sch. 3 para. 3(3)(b) substituted by 2003 c. 44 Sch. 32 Pt. 1 para. 68(4)
- Sch. 3 para. 5(1)-(1B) substituted for Sch. 3 para. 5(1) by 2006 c. 52 Sch. 16 para. 131
- Sch. 3 para. 3(2)(a) text amended by 2003 c. 44 Sch. 32 Pt. 1 para. 68(2)
- Sch. 3 para. 3(2)(c) text amended by 2003 c. 44 Sch. 32 Pt. 1 para. 68(3)
- Sch. 3 para. 6(2) text amended by S.I. 2004/3222 reg. 2(2)
- Sch. 3 para. 15(1)(b) word omitted by S.I. 2011/2632 Sch. 2 para. 20(6)(a)(ii)
- Sch. 3 para. 3(3) word repealed by S.I. 2011/2298 Sch. para. 12(3)(a)
- Sch. 3 para. 3(2)(c) words inserted by S.I. 2011/2298 Sch. para. 12(2)
- Sch. 3 para. 15(1) words inserted by S.I. 2011/2632 Sch. 2 para. 20(6)(a)(i)
- Sch. 3 para. 12 words substituted by S.I. 2011/2632 Sch. 2 para. 20(4)
- Sch. 3 para. 13(2) words substituted by S.I. 2011/2632 Sch. 2 para. 20(5)(b)
- Sch. 3 para. 13(2A) words substituted by S.I. 2011/2632 Sch. 2 para. 20(5)(c)
- Sch. 3 para. 13(3) words substituted by S.I. 2011/2632 Sch. 2 para. 20(5)(d)(i)
- Sch. 3 para. 13(3) words substituted by S.I. 2011/2632 Sch. 2 para. 20(5)(d)(ii)
- Sch. 3 shoulder note words substituted by S.I. 2011/2632 Sch. 2 para. 20(8)
- Sch. 4 excluded by 2006 c. 12 s. 16E(4) (as inserted) by 2011 c. 22 s. 9
- Sch. 4 para. 2(3) words substituted by S.I. 2011/2632 Sch. 2 para. 21(a)
- Sch. 4 para. 2(4) words substituted by S.I. 2011/2632 Sch. 2 para. 21(b)
- Sch. 6 para. 6 repealed by 2004 c. 14 Sch. 1 Pt. 14

- Sch. 7 para. 2 repealed by 2004 c. 14 Sch. 1 Pt. 14
- Sch. 7 para. 4 repealed by 2004 c. 14 Sch. 1 Pt. 14
- Sch. 7 para. 13 repealed by 2004 c. 14 Sch. 1 Pt. 14
- Sch. 7 para. 14 repealed by 2004 c. 14 Sch. 1 Pt. 14

Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:

- Blanket amendment text amended by S.I. 2011/1043 art. 3 4
- Act transfer of functions by S.I. 2009/1885 art. 2(3)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2B inserted by S.I. 2011/996 reg. 6(2)

Commencement Orders yet to be applied to the Goods Vehicles (Licensing of Operators) Act 1995:

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2005/950 art. 2-4 commences (2003 c. 44)
- S.I. 2005/2122 art. 2 amendment to earlier commencing SI 2005/950 Sch. 2 para. 23
- S.I. 2007/1897 art. 2 commences (2005 c. 9)
- S.I. 2008/3164 art. 2-4 commences (2006 c. 49)
- S.I. 2009/107 art. 2-5 Sch. 1-5 Commencement Order
- S.I. 2009/812 art. 3 commences (2006 c. 52)
- S.I. 2009/1059 Order transitional provisions for effects of commencing SI 2009/812
- S.I. 2009/1167 art. 3 4 commences (2006 c. 52)