

1969 No. 1638

ROAD TRAFFIC

**The Goods Vehicles (Licences and Prohibitions) (Amendment)
(No. 2) Regulations 1969**

Made - - - 19th November 1969

Laid before Parliament 28th November 1969

Coming into Operation 1st December 1969

The Minister of Transport in exercise of his powers under sections 179 and 190 of the Road Traffic Act 1960(a) as amended by section 22 of the Road Traffic Act 1962(b), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the said Act of 1960, and with the Council on Tribunals in accordance with the requirements of section 8 of the Tribunals and Inquiries Act 1958(c) hereby makes the following Regulations :—

1.—(1) These Regulations shall come into operation on the 1st December 1969 and may be cited as the Goods Vehicles (Licences and Prohibitions) (Amendment) (No. 2) Regulations 1969.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Goods Vehicles (Licences and Prohibitions) Regulations 1960(e), as amended (f), shall have effect as though—

- (1) in Regulation 4,
 - (a) paragraph (2) were omitted ; and
 - (b) in paragraph (5), before the words “be accompanied” there were inserted the words “if so required by the licensing authority” ;
- (2) in Regulation 8, in sub-sub-paragraph (1)(a)(ii), the words “(no date unless the licensing authority for special reasons otherwise determines being within 14 days of the issue of statement)” were omitted ;
- (3) in Regulation 9, for the words “fourteen days”, there were substituted the words “3 weeks” ;
- (4) For Regulation 14 there were substituted the following Regulation :—

“Temporary replacement of Authorised Vehicles

14.—(1) Where a motor vehicle specified in an A or a B licence (hereinafter referred to as “the specified vehicle”) has been destroyed, rendered unfit for service, or withdrawn from service for overhaul or repair and the holder of the licence desires a licence authorising, until it is replaced or rendered fit for service again, the use in its place of a motor vehicle or an articulated combination (as defined in section 92(1)

(a) 1960 c. 16.

(c) 1958 c. 66.

(e) S.I. 1960/1505 (1960 III, p. 3020).

(b) 1962 c. 59.

(d) 1889 c. 63.

(f) There is no relevant amending instrument.

of the Transport Act 1968) in his possession or to be hired without a driver (hereinafter referred to as "the substituted vehicle or combination") which vehicle or combination he is not authorised to use under his existing licence, the provisions of paragraphs (4) and (5) of Regulation 4 and of Regulations 6 and 7 shall not apply and the application for such licence shall be accompanied by the identity certificate for the specified vehicle.

(2) If on consideration of such an application the licensing authority decides to grant a licence authorising the use of the substituted vehicle or combination and, for such special reasons as aforesaid, determines under the provisions of section 169(2) of the Act that such licence shall expire on the prescribed date next ensuing after the expiration of 3 months from the date of such grant, the following provisions shall have effect:—

(a) notwithstanding the provisions of Regulation 13 no fee shall be charged for the licence; and

(b) the identity certificate for the specified vehicle shall be returned to the holder of the licence when he surrenders to the licensing authority the licence authorising the use of the substituted vehicle or combination and the relative identity certificate or certificates."

(5) in Regulation 16, for the words "seven days", there were substituted the words "3 weeks";

(6) in Regulation 18 the words "on payment of the prescribed fee" were omitted;

(7) in Regulation 20, for the words "five days", there were substituted the words "3 weeks";

(8) in Regulation 21, in paragraph (a), for the words "one month", there were substituted the words "2 months"; and

(9) in Schedule 2,

(a) in Form GV5, item 5 were omitted in the case of an application which is not required by the licensing authority to be accompanied by the licence fee.

(b) in Form GV7, item 5 were omitted.

Given under the Official Seal of the Minister of Transport the 19th November 1969.

(L.S.)

Fred Mulley,
Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make minor amendments to The Goods Vehicles (Licences and Prohibitions) Regulations 1960 so as to make the procedures for applying for and varying carriers' licences under Part IV of the Road Traffic Act 1960 similar to the procedures for applying for and varying operators' licences under Part V of the Transport Act 1968.