
 STATUTORY INSTRUMENTS

1977 No. 1462

ROAD TRAFFIC

The Goods Vehicle Operators (Qualifications) Regulations 1977*Made* - - - - 26th August 1977*Laid before Parliament* 8th September 1977*Coming into Operation* 29th September 1977

The Secretary of State for Transport, being a Minister designated (a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation and supervision of qualifications of persons engaged in road transport, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Goods Vehicle Operators (Qualifications) Regulations 1977, and shall come into operation on 29th September 1977.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act of 1968” means the Transport Act 1968(c);

“the Community instrument” means Council Directive (EEC) 74/561 of 12 November 1974(d) on admission to the occupation of road haulage operator in national and international transport operations;

“company” and “holding company” have the same meaning as in section 154 of the Companies Act 1948(e);

“international transport operations” means transport operations involving the use, for carrying goods for hire or reward, of goods vehicles on journeys which take place in part in the United Kingdom and in part elsewhere;

“national transport operations” means transport operations involving the use, for carrying goods for hire or reward, of goods vehicles on journeys in the United Kingdom only;

“relevant convictions”, in relation to an applicant for, or the holder of, a standard operator’s licence or to a transport manager, means any such convictions as are mentioned in section 69(4) of the Act of 1968 (taking the references in that subsection to the holder of the licence as including references to the applicant for the licence or the transport manager, as the case may require);

(a) S.I. 1975/1707 (1975 III, p. 5814).
(d) O.J. No. L308/18 of 12.11.74.

(b) 1972 c. 68.
(e) 1948 c. 38.

(c) 1968 c. 73.

“responsible road transport employment,” in relation to an individual, means employment which is employment in the service of a person who carries on a road transport undertaking and is employment in a position where that individual has responsibility for the operation of goods vehicles used under an operator’s licence;

“road transport undertaking” means an undertaking which involves the use of goods vehicles under an operator’s licence;

“standard operator’s licence” and “restricted operator’s licence” have the meanings respectively given in Regulation 3;

“transport manager,” in relation to an applicant for, or a holder of, a standard operator’s licence, means a person who is, or is to be, employed in full time employment by the applicant, or, as the case may be, who is employed in full time employment by the holder, in a position where he is responsible for the operation of vehicles used under the licence, and references in relation to a transport manager to his employment or his being employed by the applicant for, or the holder of, a standard operator’s licence are references to his full time employment in the service of the applicant or holder, as the case may be;

and any expression not defined above which is also used in Part V of the Act of 1968 has the same meaning as in that part of that Act.

(2) For the purposes of these Regulations a person who is an applicant for, or a holder of, a standard operator’s licence, or who is a transport manager, shall be regarded as being engaged in road transport operations, if the person in question is—

- (a) the holder or, if an individual, one of the joint holders, of an operator’s licence, or
- (b) the subsidiary of the holder of an operator’s licence, being a subsidiary to which goods vehicles used under the licence belong or in whose possession they are, or
- (c) if an individual, in responsible road transport employment.

(3) For the purposes of these Regulations, the driver of a vehicle, if it belongs to him or is in his possession under an agreement for hire, hire-purchase or loan, and in any other case the person whose servant or agent the driver is, shall be regarded as the person using the vehicle; and references to using the vehicles shall be construed accordingly.

(4) Any reference in these Regulations to the holder of an operator’s licence is a reference to the person to whom the licence was granted.

(5) Any reference in these Regulations to any enactment or instrument is a reference to that enactment or instrument as amended or extended by or under any subsequent enactment or instrument (including these Regulations).

(6) Any reference in these Regulations to a numbered Regulation is a reference to the Regulation having that number in these Regulations.

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

Classification of operators' licences

3.—(1) For the purpose of enabling the Community instrument to be implemented in Great Britain operators' licences granted under Part V of the Act of 1968 so as to take effect on or after 1 January 1978 shall be divided into two classes, namely—

- (a) standard operators' licences—that is to say licences under which goods vehicles may be used on a road for the carriage of goods—
 - (i) for hire or reward, or
 - (ii) for or in connection with any trade or business carried on by the holder of the licence; and
- (b) restricted operators' licences—that is to say licences under which goods vehicles may be used on a road for the carriage of goods for or in connection with any trade or business carried on by the holder of the licence, not being the trade or business of carrying goods for hire or reward.

(2) Where the holder of an operator's licence is a company, any trade or business carried on by—

- (a) the holding company of that company, or
- (b) a subsidiary of that company, or
- (c) another company which is also a subsidiary of that company's holding company,

shall, for the purposes of paragraph (1) above, be regarded as a trade or business carried on by the holder of the licence.

(3) Standard operators' licences may authorise goods vehicles to be used for the carriage of goods for hire or reward—

- (a) on both international and national transport operations, or
- (b) on national transport operations only.

(4) A statement shall appear—

- (a) on the face of each operator's licence, for indicating whether it is a standard operator's licence or a restricted operator's licence, and
- (b) on the face of each standard operator's licence, for indicating whether it covers both international and national transport operations or national transport operations only.

(5) The Secretary of State may, by regulations under section 91 of the Act of 1968 (regulations and orders for the purposes of Part V of that Act), make provision—

- (a) for requiring a person who applies for an operator's licence to state in his application whether he is applying for a standard operator's licence or a restricted operator's licence,
- (b) for requiring a person who applies for a standard operator's licence to state in his application whether the licence is to cover both international and national transport operations or national transport operations only,

- (c) with respect to the means by which goods vehicles may be identified—
 - (i) as being vehicles used under a standard operator's licence or under a restricted operator's licence, and
 - (ii) if used under a standard operator's licence, as being vehicles authorised to be used for both international and national transport operations or for national transport operations only, and
 - (d) with respect to the appropriate form of licence for reflecting the above distinctions.
- (6) A person who uses a goods vehicle under a restricted operator's licence for carrying goods for hire or reward shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.
- (7) A person who uses a goods vehicle under a standard operator's licence which covers national transport operations only, for carrying goods for hire or reward on international transport operations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100.
- (8) In section 68(1) of the Act of 1968 (variation of operators' licences)—
- (a) in sub paragraph (c), after the words "section 65 of this Act" there shall be added the words "or specified for the purposes of the Goods Vehicle Operators (Qualifications) Regulations 1977 in a standard operator's licence as defined in Regulation 3 of those Regulations", and
 - (b) after sub paragraph (d) there shall be added the following:— "or (e) that a restricted operator's licence as defined in Regulation 3 of the said Regulations of 1977 be converted into a standard operator's licence as defined in that Regulation, or vice versa."
- (9) Section 69 of the Act of 1968 (which relates to revocation of operators' licences) shall be amended as follows:—
- (a) in subsection (1)(b)(i) for "paragraphs (a) to (f)" substitute "paragraphs (a) to (fff)";
 - (b) after subsection (3) insert new subsection as follows:—

"(3A) Where the ground mentioned in subsection (1) of this section consists of a conviction mentioned in paragraph (ff) of subsection (4) of this section and there has been, within the 5 years preceding that conviction, a previous conviction of the holder of the licence of the offence referred to in that paragraph, the licensing authority shall give a direction under this section to revoke the licence";
 - (c) in subsection (4), after paragraph (f), insert the following paragraphs:—
 - "(ff) a conviction of the holder of a licence of an offence under Regulation 3(6) of the Goods Vehicle Operators (Qualifications) Regulations 1977;
 - (fff) a conviction of the holder of the licence of an offence under Regulation 3(7) of the Goods Vehicle Operators (Qualifications) Regulations 1977:".

(10) In section 232(1)(b) of the Road Traffic Act 1960(a) (duty to give information as to identity of drivers) the reference to section 60 of the Act of 1968 shall include a reference to Regulation 3(6) and (7) of the Goods Vehicle Operators (Qualifications) Regulations 1977.

(11) Nothing in this Regulation shall apply to any operator's licence which takes effect before 1 January 1978.

(12) Except as provided in this Regulation and in Regulation 7, the provisions of these Regulations shall not affect the application of Part V of the Act of 1968, or of any regulations thereunder, to restricted operators' licences.

(13) Part V of the Act of 1968, and any regulations thereunder, shall have effect in relation to standard operators' licences subject to the provisions of these Regulations.

Applications for standard operators' licences

4.—(1) The provisions of this Regulation shall have effect for enabling the licensing authority to determine, in relation to an applicant for a standard operator's licence, whether, in the cases where these requirements apply, the applicant—

- (a) is of good repute,
- (b) has appropriate financial standing, and
- (c) is professionally competent or will employ one or more transport managers who are of good repute and are professionally competent.

(2) Subject to paragraph (4) below, every applicant for a standard operator's licence shall—

- (a) include in his application (without being specifically required by the licensing authority to do so) particulars of the matters specified in paragraphs (d), (e), (f) and (g) of section 62(4) of the Act of 1968 (information about activities, convictions, financial resources and other matters),
- (b) in a case where the applicant relies on his own professional competence for satisfying the professional competence requirement, include in his application particulars of his professional competence qualifications, and
- (c) in a case where the applicant does not so rely, include in his application—
 - (i) particulars of the name, address and place of work or intended place of work of his transport manager or, if the applicant has more than one operating centre and the licensing authority requires him to have more than one transport manager, particulars of the name, address and place of work or intended place of work of each transport manager so required, and

- (ii) particulars, in relation to such, or each such, transport manager, of his professional competence qualifications and of any relevant convictions of his during the 5 years preceding the making of the application.

(3) Where particulars of a transport manager are, in accordance with paragraph (2)(c) above, included in an application, the applicant shall forthwith notify the licensing authority if there occurs, in the interval referred to in section 62(4A) of the Act of 1968 (convictions during interval between application and date on which it is disposed of), a relevant conviction of the transport manager; and subsection (4B) of the said section 62 (offence of failing to give information as to convictions) shall apply in relation to this paragraph as it does in relation to subsection (4A) of that section.

(4) Paragraph (2)(a) above shall not apply in relation to an application for a standard operator's licence by a person, or by a partnership firm of which at least one of the partners is a person, who satisfies the licensing authority that he was engaged in road transport operations before 1 January 1978.

(5) Nothing in this Regulation shall prejudice the right of the licensing authority, in relation to an application for a standard operator's licence, to require the applicant under section 62(4) of the Act of 1968 to give particulars of the matters referred to in paragraphs (d), (e), (f) and (g) of that subsection in a case where the licensing authority would have done so if these Regulations had not been made.

Decisions on applications for standard operators' licences

5.—(1) The licensing authority shall refuse to grant to an applicant a standard operator's licence unless he is satisfied that—

- (a) the applicant is of good repute,
- (b) the applicant has appropriate financial standing, and
- (c) the applicant is himself professionally competent or will at all times during the currency of the licence have in his employment a transport manager who is of good repute and is professionally competent or, if the applicant has more than one operating centre and the licensing authority requires him to have more than one transport manager, such number of transport managers who are of good repute and are professionally competent as are so required.

(2) A refusal of a standard operator's licence under paragraph (1) above shall be regarded for the purposes of Part V of the Act of 1968 as a refusal under section 64(3) of that Act.

Conditions to be attached to standard operators' licences

6.—(1) Subject to paragraph (3) below, the licensing authority, when granting a standard operator's licence, shall attach to the licence conditions for requiring the holder of the licence to inform him of the happening of any such event as is referred to in paragraphs (a) to (c) of section 66(1) of the Act of 1968, which—

- (a) occurs during the currency of the licence,
- (b) affects the holder of the licence or a transport manager of his, and
- (c) is relevant to the performance by the licensing authority of his duties under these Regulations in relation to the licence or the performance by some other licensing authority of that authority's duties under these Regulations in relation to another standard operator's licence granted to that holder.

(2) A condition attached by a licensing authority to a standard operator's licence under paragraph (1) above shall, for the purpose of Part V of the Act of 1968, be regarded as having been attached under section 66 of that Act.

(3) A condition attached by a licensing authority to a standard operator's licence under paragraph (1) above, in a case where the holder of the licence is a company, shall not require the holder to inform the licensing authority of any change in the persons holding shares in the company unless the change is such as to cause a change in the control of the company.

(4) For the purposes of paragraph (3) above a change in the control of a company occurs when the controlling interest (as defined in section 69(11) of the Act of 1968) passes from one person to another person or from one group of persons to a wholly or substantially different group of persons.

Variation of licences

7.—(1) The provisions of Regulations 4, 5, and 6 shall apply to an application to vary a restricted operator's licence by directing that it shall be converted into a standard operator's licence, to the making of the direction and to the imposition of conditions as those provisions respectively apply to an application for a standard operator's licence, the decision to grant such a licence and the imposition of conditions on the occasion of the grant of such a licence, and for the purposes of this application the references in those Regulations to the application or the applicant for, or the grant of, a standard operator's licence shall be construed respectively as references to the application or the applicant for such variation or to the making of such variation.

(2) If the holder of a standard operator's licence which covers national transport operations applies for the licence to be varied so that it shall also cover international transport operations—

- (a) the applicant shall include in his application the particulars as to professional competence which would be required by Regulation 4(2)(b) or (c) if the application were an application for the grant of a standard operator's licence covering both types of operations, and
- (b) the licensing authority shall refuse to direct the variation applied for unless the authority is satisfied with respect to the professional competence qualifications of the relevant person or persons (including, in particular, in a case where Regulation 9(7)(b) is relied on for a professional competence qualification, the holding of a certificate as to skills in the subjects listed in Part B of the Annex to the Community instrument).

Revocation of standard operators' licences

8.—(1) Subject to paragraphs (4) and (5) below, where, at any time during the currency of a standard operator's licence, it appears to the licensing authority by whom that licence was granted, whether from information given to him pursuant to section 62(4), 63 or 66(1) of the Act of 1968 or to these Regulations, or otherwise obtained by him, that—

- (a) the licence holder is not of good repute, or
- (b) the licence holder does not have appropriate financial standing, or
- (c) the licence holder is not professionally competent and does not have such one or more transport managers who are of good repute and professionally competent as is or are required by the licence,

then the licensing authority shall, whether or not he has power to give a direction for the revocation of the licence under section 69(1) of the Act of 1968, direct that the licence shall be revoked.

(2) Before directing under paragraph (1) above that a standard operator's licence shall be revoked the licensing authority shall give notice in writing to the holder of the licence that he is considering its revocation, and shall state in the notice the grounds on which revocation is being considered and the time within which written representations may be made by the holder of the licence to the licensing authority with respect thereto, and shall consider all such representations duly made within that time.

(3) A direction to revoke given by a licensing authority under paragraph (1) above shall, for the purposes of Part V of the Act of 1968, be regarded as being given under section 69(1) of that Act, but subsection (3) of that section shall not apply in relation thereto.

(4) In the event of the death, or physical or legal incapacity, of the holder of a standard operator's licence (being an individual) or of a transport manager required by the licence, paragraph (1) above shall not require the licensing authority to revoke the licence during such period, not exceeding 6 months, from the occurrence of the event in question, as the licensing authority may determine, or during such further period, not exceeding 6 months from the end of the first mentioned period, as the licensing authority may determine.

(5) In a case where a transport manager required by a standard operator's licence ceases to be employed by the holder of that licence (otherwise than by reason of his death or physical or legal incapacity), or where there occurs a relevant conviction of such a transport manager, paragraph (1) above shall not require the licensing authority to revoke the licence during such period, not exceeding 6 months from the cessation of employment or the occurrence of the conviction, as the licensing authority may consider reasonable for enabling the holder of the licence to engage a new transport manager who is of good repute and is professionally competent or to make suitable alternative arrangements with respect to his transport manager or managers.

(6) For the purposes of paragraphs (4) and (5) above, "legal incapacity"—

- (a) in relation to the holder of a standard operator's licence means that he is incapable by reason of mental disorder, within the meaning of

the Mental Health Act 1959(a), of carrying on his road transport undertaking,

and

- (b) in relation to a transport manager, means that he is incapable by reason of mental disorder within the meaning of the said Act of performing the duties of a transport manager.

(7) Nothing in this Regulation shall restrict the power of a licensing authority to direct the revocation of a standard operator's licence under section 69(1) of the Act of 1968 in a case where that authority would do so if these Regulations had not been made.

Determination of reputation, financial standing and professional competence

9.—(1) This Regulation applies for the purposes of the operation of Regulations 4 to 8.

(2) For the purpose of determining whether or not a person is or is not of good repute regard shall be had in particular to the existence and number of any relevant convictions relating to him during the period of 5 years ending with the date on which the matter falls to be determined.

(3) A person shall be regarded as having appropriate financial standing if he has available to him sufficient financial resources to ensure the proper administration of his road transport undertaking (including, where a new undertaking is being launched, the launching of that undertaking).

(4) Only an individual can be professionally competent.

(5) The professional competence requirement, as respects a company, can only be satisfied by the employment by that body of one or more transport managers who are of good repute and are professionally competent.

(6) Where a standard operator's licence is applied for by, or granted to, two or more individuals trading in partnership, the applicant, or as the case may be, the licence holder, shall be regarded as professionally competent if one or more of the partners are professionally competent, and a partner who is professionally competent is responsible for the operation of the vehicles used under the licence.

(7) Subject to paragraph (8) below, an individual shall be regarded as professionally competent—

- (a) if he was engaged in road transport operations before 1st January 1975; or
- (b) if he is the holder of a certificate issued by a body approved for the purposes of this Regulation by the Secretary of State, to the effect that he possesses skills in the subjects listed in Part A of the Annex to the Community instrument, and in a case where his qualification is relevant for the purpose of a standard operator's licence which covers

(a) 1959 c. 72.

international transport operations, also to the effect that he possesses skills in the subjects listed in Part B of the Annex to that instrument (the subjects all being subjects recognised by that body as required by article 3(4) of that instrument); or

- (c) if he is the holder of any other certificate of competence, diploma or other qualification recognised for the purpose of this paragraph by the Secretary of State.

(8) An individual shall not be regarded as professionally competent by virtue of paragraph (7)(a) above after 31st December 1979 unless he is the holder of a certificate which has been issued by a licensing authority before that date and which states that the authority is satisfied that he was engaged in road transport operations as mentioned in the said paragraph (7)(a).

(9) An individual whose engagement in road transport operations began on or after 1st January 1975 but before 1st January 1978 shall, by virtue of such engagement, be regarded as professionally competent until 1st January 1980, but shall then cease to be so regarded unless before that date he has become the holder of any such certificate, diploma or other qualification as is mentioned in paragraph (7)(b) or (c) above.

Holding companies and subsidiaries

10. In a case where the applicant for, or the holder of, a standard operator's licence is a holding company and the goods vehicles to be used, or used, under the licence belong to, or are in the possession of, a subsidiary of that holding company, the provisions of these Regulations shall apply as if—

- (a) the road transport undertaking and any operating centre of the subsidiary were the road transport undertaking and an operating centre of the holding company,
- (b) for purposes of, or relating to, the reputation and financial standing of the holding company, the activities, relevant convictions and financial resources of the subsidiary were activities, convictions and resources of the holding company, and
- (c) in relation to a transport manager, his employment by the subsidiary were employment by the holding company.

Consequential adaptation of enactments

11.—(1) In section 84 of the Act of 1968 (evidence by certificate) the reference to Part V of that Act shall include a reference to these Regulations, and references to that Part in sections 87 (inquiries), 88 (Transport Tribunal), 90 (appointment of officers), 91 (regulations and orders) and 92 (interpretation) shall be construed as references to it as modified or supplemented by the provisions of these Regulations.

(2) Without prejudice to Regulation 3(5) and paragraph (1) above, the power of the Secretary of State to make Regulations under section 91 of the Act of 1968 for the purposes of carrying Part V of that Act into effect may be exercised for the purposes of carrying into effect that Part as modified or supplemented by the provisions of these Regulations.

(3) In sections 233 (forgery) and 235(1) (false statements) of the Road Traffic Act 1960 the references to Part V of the Act of 1968 shall be construed as references to that Part as modified by these Regulations and the references to a licence under Part V of the Act of 1968 shall include references to a certificate, diploma or qualification referred to in Regulation 9(7) and to the certificate provided for in Regulation 9(8).

(4) In Section 56 of the Road Traffic Act 1972(a) (power to inspect goods vehicles for certain purposes) the reference to Part V of the Act of 1968 shall include a reference to these Regulations.

Signed by authority of
the Secretary of State
26th August 1977.

John Horam,
Parliamentary Under Secretary of State,
Department of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations implement, in relation to Great Britain, the obligations of the United Kingdom under Council Directive 74/561/EEC of 12th November 1974 (O.J. No. L308/18) on admission to the occupation of road haulage operator in national and international transport operations.

2. For the purpose of this implementation operators' licences under Part V of the Transport Act 1968 (regulation of carriage of goods by road) granted so as to take effect on or after 1st January 1978 are divided (see Regulation 3) into two classes—

- (a) standard operators' licences—under which goods vehicles may be used either for hire or reward or for or in connection with a trade or business carried on by the holder of the licence, and
- (b) restricted operators' licences—under which goods vehicles may only be used for or in connection with a trade or business carried on by the holder of the licence (not being the trade or business of carrying goods for hire or reward).

Standard operators' licences may cover the carriage of goods for hire or reward on both international and national transport operations or may cover such carriage on national transport operations only. It is to be an offence punishable on a summary conviction by a fine not exceeding £200 for the holder of a restricted operator's licence to use the vehicles to which the licence relates for carrying goods for hire or reward, and if the licence holder is convicted of this offence more than once in a period of 5 years the licensing authority must revoke his licence (Regulation 3(6) and (9)). It is to be an offence punishable on summary conviction by a fine not exceeding £100 for the holder of a standard operator's licence which covers national transport operations only to use the vehicles to which the licence relates for international transport operations, and if the licence holder is convicted of this offence the licensing authority will have power (but not a duty) to revoke his licence (Regulation 3(7) and (9)).

3. In general, the provisions of Part V of the Transport Act 1968 continue to apply to restricted operators' licences without any amendment, but in their application to standard operators' licences those provisions have effect as modified and supplemented by these Regulations which lay down more stringent requirements as respects repute and financial standing and impose new requirements as respects professional competence.

4. In Regulation 4 provision is made for requiring the applicant for a standard operator's licence to include in his application particulars of matters bearing on his fitness to hold the licence, his financial standing and his professional competence or the fitness and professional competence of the transport manager or managers in his full time employment, and Regulation 5 requires the licensing authority to refuse to grant a standard operator's licence to an applicant unless the licensing authority is satisfied on these matters. Regulation 6 requires the licensing authority to attach certain conditions to a standard operator's licence. Regulation 7 deals with the case where the holder of a restricted operator's licence applies to have it converted into a standard operator's licence and the case where the holder of a standard

operator's licence which covers national transport operations only applies to have it extended to cover international transport operations. Regulation 8 imposes an obligation on the licensing authority to revoke a standard operator's licence if it appears to that authority that the relevant requirements as to reputation, financial standing or professional competence of the holder of the licence or as to the fitness or professional competence of his transport manager or managers are not being met. A refusal by the licensing authority to grant a standard operator's licence, a decision by the licensing authority to attach conditions to such a licence and the revocation of such a licence by the licensing authority, under Regulations 5, 6 and 8 respectively, are to be treated as having taken place under the relevant provisions of Part V of the Transport Act 1968, thus giving rise to a right of appeal to the Transport Tribunal under section 70 of that Act.

5. Exemption from certain of the requirements of Regulation 4 is conferred on persons engaged in the road transport industry before 1st January 1978 (Regulation 4(4)) but the existing requirements in Part V of the 1968 Act remain applicable to such persons.

6. Regulation 9 contains provisions for explaining how the requirements as to fitness, financial standing and professional competence are to be met. Only individuals can be professionally competent. The professional competence requirement is met by a company if that company has one or more professionally competent transport managers in its full time employment. Individuals who held responsible positions in the road haulage industry before 1st January 1975 are to be regarded as professionally competent, but this qualification, based on experience, will, in general, avail after 31st December 1979 only if the individual concerned obtains from a licensing authority before that date a certificate confirming that that authority is satisfied that he was engaged in the industry, in an appropriate position, before 1st January 1975. Individuals whose engagement in the road transport industry in responsible positions began after 31st December 1974 but before 1st January 1978 will cease to be treated as being professionally competent on 1st January 1980 if they have not before that date obtained from a body approved by the Secretary of State a certificate as to their skills in certain subjects specified in the Annex to the Council Directive, or obtained some other certificate of competence, diploma or other qualification required by the Secretary of State. Individuals whose engagement in this industry begins on or after 1st January 1978 will be required in all cases to have such a certificate of competence, or such diploma or other qualification, if they are to meet the professional competence requirement prescribed for the holder of a standard operator's licence or for his transport manager or managers.

7. Regulation 10 deals with cases where a standard operator's licence is applied for or held by a holding company but the goods vehicles used under it belong to, or are in the possession of, a subsidiary of that company.

8. Consequential amendments to certain enactments are made by Regulation 11.

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