

1982 No. 1713

## ROAD TRAFFIC

**The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1982***Made* - - - 1st December 1982*Laid before Parliament* 10th December 1982*Coming into Operation* 1st January 1983

The Secretary of State for Transport in exercise of the powers conferred by section 91(1), (4) and (5) of the Transport Act 1968(a), and now vested in him(b), and of all other enabling powers, and after consultation with representative organisations in accordance with section 91(8) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 1st January 1983 and may be cited as the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1982.

2. The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1980(c) shall be amended in accordance with the following provisions of these Regulations.

3. In Regulation 5 (Exemptions for Northern Ireland or foreign goods vehicles used for the carriage of goods between Member States of the European Communities)—

(a) in paragraph (1)—

(i) at the end of sub-paragraph (a) there shall be inserted the following words:—

“(iii) a relief vehicle; or”;

(ii) in sub-paragraph (b) for “8, 15, 22 or 24” there shall be substituted “8, 14A, 15, 16, 18, 19, 22 or 24”; and

(iii) in sub-paragraph (c) after the words “combined road/rail carriage” there shall be inserted the words “or combined transport by inland waterway”; and

(b) the following paragraph shall be substituted for paragraph (2):—

“(2) In this Regulation “Council Directive No. 130/75” means Council Directive (EEC) No. 130/75 of the 17th February 1975(d) on the establishment of common rules for certain types of combined transport of goods between Member States as amended by Council Directives (EEC) Nos. 5/79 of 19th December 1978(e) and 82/603 of 28th July 1982(f).

(a) 1968 c. 73.

(b) S.I. 1970/1681, 1979/571 and 1981/238.

(c) S.I. 1980/637.

(d) O.J. No. L48, 22.2.1975, p.31.

(e) O.J. No. L5, 9.1.79, p. 33

(f) O.J. No. L247, 23.8.82, p. 6.

4. In Regulation 6 (Exemption for Northern Ireland or foreign goods vehicles with international authorisations or licences) for the words “and 2964/79 of 20th December 1979” there shall be substituted the words “, 2964/79 of 20th December 1979 and 663/82 of 22nd March 1982(a)”.

5. In Regulation 19 (Exemptions and modifications for Irish goods vehicles) for paragraph (1) there shall be substituted the following paragraph:—

“(1) In this Regulation “Irish Republic goods vehicle” means a foreign goods vehicle—

(a) which, in the case of a motor vehicle, is owned or operated by a person—

(i) who is authorised under the law of the Republic of Ireland to use that vehicle for the carriage of goods in the Republic of Ireland; or

(ii) who, if the law of the Republic of Ireland permits him to use that vehicle without being so authorised, uses that vehicle for that purpose in that country; and

(b) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is an Irish Republic goods vehicle.”

6. After Regulation 31 (Exemption for Swiss goods vehicles) there shall be inserted the following Regulation:—

*“Exemptions and modification for Tunisian goods vehicles*

**31A.**—(1) In this Regulation—

“Tunisian goods vehicle” means a foreign goods vehicle which—

(a) in the case of a motor vehicle, is registered in the Republic of Tunisia; and

(b) in the case of a trailer, is operated by a person who is authorised under Tunisian law to use that vehicle for the international carriage of goods for hire or reward on his own account; and

“relevant date” means the date on which the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Government of the Tunisian Republic on the International Carriage of Goods by Road signed on the 10th March 1982 enters into force for the United Kingdom, which dates shall be notified in the London Gazette.

(2) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a Tunisian goods vehicle by virtue of the carriage of such goods as are specified in paragraphs 1, 2, 2A, 3, 4, 5, 6, 7, 8, 9, 12, 16, 17, 19, 20 and 26 of Schedule 1.

(3) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a Tunisian goods vehicle which is a relief vehicle.

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(a) O.J. No. L78, 24.3.1982, p. 2.

(4) On and after the relevant date, section 60(1) of the Act shall not apply to the use in Great Britain of a Tunisian goods vehicle which is a vehicle specified in Schedule 2.

(5) On and after the relevant date, in relation to a Tunisian goods vehicle being used for the carriage of goods in a case to which neither of the preceding exemptions apply, section 60(1) of the Act shall have effect as set out in Schedule 4.”.

*David Howell,*  
Secretary of State for Transport.

1st December 1982.

#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1980.

The principal changes are:—

- (a) amendments to Regulation 5 of the 1980 Regulations (Exemptions for Northern Ireland and foreign goods vehicles used for the carriage of goods between Member States of the European Communities) to give effect to Council Directive (EEC) No. 82/50 of the 19th January 1982 (O.J. No. L27, 4.2.82, p.22) amending the First Council Directive, of 23rd July 1962 (O.J. No. 70, 6.8.62, p.2005/62), on the establishment of common rules for certain types of carriage of goods by road between Member States, and to take account of Council Directive (EEC) No. 82/603 of 28th July 1962 (O.J. No. L247, 23.8.82, p.6) amending Council Directive (EEC) No. 75/130 of 17th February 1975 (O.J. No. L48, 22.2.75, p.31) on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States (Regulation 3);
- (b) an amendment to Regulation 6 of the 1980 Regulations (Exemptions for Northern Ireland or foreign goods vehicles with international authorisations or licences) to take account of Council Regulation (EEC) No. 663/82 of 22nd March 1982 (O.J. No. L.78, 24.3.82, p.2) amending, as regards the increase in the quota, Regulation (EEC) No. 3164/76 of 16th December 1976 (O.J. No. L.357, 29.12.76, p.1) on the Community quota for the carriage of goods by road between Member States (Regulation 4);
- (c) the amendment of Regulation 19 of the 1980 Regulations to accord with the agreement with the Republic of Ireland to which it gives effect. (Regulation 5);
- (d) the insertion of a new Regulation 31A to give effect to an agreement with an agreement between the United Kingdom and the Republic of Tunisia on the international carriage of goods by road (Regulation 6).

Copies of the international agreements referred to above may be obtained from Room S17/14, the Department of Transport, 2 Marsham Street, London SW1.

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