



# Goods Vehicles (Licensing of Operators) Act 1995

## 1995 CHAPTER 23

### *Variation of licences*

#### **17 Variation of operators' licences.**

- (1) Subject to section 18, on the application of the holder of an operator's licence, [<sup>F1</sup>a traffic commissioner] 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 6 be increased;
  - (b) that any vehicle cease to be specified in the licence or that any maximum number specified in it under section 6 be reduced;
  - (c) that any provision in the licence such as is mentioned in section 5(2) cease to have effect;
  - (d) that a provision such as is mentioned in section 5(2) be included in the licence;
  - (e) that any provision in the licence such as is mentioned in section 6(1)(b) or (2)(b) cease to have effect;
  - (f) that a provision such as is mentioned in section 6(1)(b) or (2)(b) be included in the licence;
  - (g) [<sup>F2</sup>in the case of a heavy goods vehicle licence,] that a new place in the [<sup>F3</sup>same traffic] area 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) A person applying for the variation of an operator's licence under this section shall give to [<sup>F4</sup>the traffic commissioner dealing with the application, in such form as he or

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another traffic commissioner may require, such information as he or another traffic commissioner] may reasonably require for disposing of the application.

- (3) Except in the cases mentioned in subsection (4), [<sup>F5</sup>a traffic commissioner] shall publish notice of any application for the variation under this section of an operator's licence, and shall do so in the manner prescribed for the publication of notices under section 10(1).
- (4) 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 [<sup>F6</sup>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 traffic commissioner 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.
- (5) Where notice of an application is published under subsection (3), the following provisions, namely—
- (a) section 10(2),
  - (b) section 12(1)(a), (6), (8) and (9)(a),
  - (c) [<sup>F7</sup>sections 13 to 13D], and
  - (d) section 15,
- shall, with any necessary modifications and subject to section 19, 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 10(1).

#### Textual Amendments

- F1** Words in s. 17(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F2** Words in s. 17(1)(g) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **36(1)**
- F3** Words in s. 17(1)(g) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F4** Words in s. 17(2) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F5** Words in s. 17(3) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F6** Words in s. 17(4)(c) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **36(2)**
- F7** Words in s. 17(5)(c) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 7** (with Sch. 3 Pt. 2)

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**Modifications etc. (not altering text)**

- C1** S. 17 modified (1.1.1996) by [S.I. 1995/2181](#), art. 3, [Sch. para. 6\(1\)](#)
- C2** S. 17(3) excluded by 2006 c. 12, s. 16E(3) (as inserted (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011](#) (c. 22), [ss. 9](#), 10(1))

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

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

- s. 5(6)(6A) substituted for s. 5(6) by [2000 c. 38 s. 263](#)