

1970 No. 1798

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1970

<i>Made</i>	- - -	1st December 1970
<i>Laid before Parliament</i>		10th December 1970
<i>Coming into Operation</i>		11th December 1970

The Secretary of State for the Environment, in exercise of his powers under sections 89(1) and 91(1), (4) and (5) of the Transport Act 1968(a), and of all other enabling powers, and after consultation with representative organisations in accordance with section 91(8) of the said Act of 1968, and with the Council on Tribunals in relation to Regulation 2(6) of these Regulations in accordance with the requirements of section 8 of the Tribunals and Inquiries Act 1958(b), hereby makes the following Regulations:—

1. These Regulations may be cited as the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1970, and shall come into operation on the 11th December 1970.

2. The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1970(c) shall be amended as follows:—

(1) in Regulation 4(3)(b) (exemption for Austrian goods vehicles in certain cases) after the words "any goods" there shall be inserted the words "being carried for hire or reward and";

(2) after Regulation 4 there shall be inserted the following Regulation:—

"Exemption for Belgian goods vehicles in certain cases

4A.—(1) In this Regulation—

"Belgian goods vehicle" means a foreign goods vehicle—

(a) which, in the case of a motor vehicle, is registered in the Kingdom of Belgium; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Belgian goods vehicle; and

"relevant date" means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Belgium on the International Carriage of Goods by Road signed on the 23 July 1970(d) enters into force for the United Kingdom, which date will 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 Belgian goods vehicle for the carriage of any goods.";

(a) 1968 c. 73.

(b) 1958 c. 66.
(d) Cmnd. 4479.

(c) S.I. 1970/202 (1970 I,p. 901).

(3) in Regulation 6(3)(b) (exemption for German goods vehicles in certain cases) after the words “any goods” there shall be inserted the words “being carried for hire or reward and”;

(4) After Regulation 6 there shall be inserted the following Regulation:—

“Exemption for Hungarian goods vehicles in certain cases

6A.—(1) In this Regulation—

“Hungarian goods vehicles” means a foreign goods vehicle—

(a) which, in the case of a motor vehicle, is registered in the Hungarian People’s Republic; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Hungarian goods vehicle; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hungarian People’s Republic on the International Carriage of Goods by Road signed on the 23 February 1970 (a) enters into force for the United Kingdom, which date will 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 Hungarian goods vehicle for the carriage of such goods as are specified in the next following paragraph of this Regulation.

(3) The goods referred to in the last preceding paragraph of this Regulation are:—

(a) any such goods as are specified in Schedule 1 to these Regulations;

(b) any goods being carried for hire or reward and being—

(i) works of art;

(ii) carried exclusively for publicity or educational purposes;

(iii) properties, equipment or animals being carried to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;

(iv) carried for fairs and exhibitions;

(v) carried in connection with household removals by undertakings using specialised personnel and equipment for that purpose;

(vi) carried in circumstances such that the total laden weight of the motor vehicle and any trailer drawn thereby does not exceed 6,000 kilograms;

(c) any goods being carried for or in connection with any trade or business carried on by the user of the vehicle, if there is carried on the vehicle a document containing particulars of the user, his trade or business, the goods, their loading and unloading points, the vehicle and the route;

(d) any goods if there is carried on the vehicle a permit valid for the journey on which the goods are being carried issued by the Secretary of State for the Environment.”;

(5) after Regulation 8 there shall be inserted the following Regulation:—

“Exemption for Norwegian goods vehicles in certain cases

8A.—(1) In this Regulation—

“Norwegian goods vehicle” means a foreign goods vehicle—

(a) which, in the case of a motor vehicle, is registered in the Kingdom of Norway; and

(b) which, in the case of a trailer, is only drawn in Great Britain by a motor vehicle which is a Norwegian goods vehicle; and

“relevant date” means the date on which the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway on the International Carriage of Goods by Road signed on the 10 June 1970^(a) enters into force for the United Kingdom, which date will 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 Norwegian goods vehicle for the carriage of any goods.”;

(6) in Part I of Schedule 2 (modifications to Part V of the Transport Act 1968 in relation to Northern Ireland and foreign goods vehicles)—

(a) for sub-paragraph (q) there shall be substituted the following sub-paragraph:—

“(q) as if in section 69, in subsection (1)(a), the words “section 65 of this Act or” and the last paragraph of subsection (5) were omitted”; and

(b) for sub-paragraph (r) there shall be substituted the following sub-paragraph:—

“(r) as if in section 70(2) for the words “on the ground that” to the end of the subsection there were substituted the words “from the refusal of an application to grant or vary an operator’s licence in respect of a vehicle brought temporarily into Great Britain or from any direction given under section 61(6) or 69(1) or (2) of this Act in respect of such a licence;”.

Signed by authority of the Secretary of State 1st December 1970.

John Peyton,

Minister for Transport Industries
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) Regulations 1970 (which exempt operators of Northern Ireland and foreign goods vehicles brought temporarily into Great Britain from the requirement to obtain an operator's licence under Part V of the Transport Act 1968 when the vehicles are used only in certain circumstances or for the carriage of certain kinds of goods). The principal amendments are that further provision is made for exempting from the said requirements the operators of goods vehicles of Belgium (Regulation 2(2)), of Hungary (Regulation 2(4)) and of Norway (Regulation 2(5)) when used temporarily in Great Britain for the carriage (in the case of Belgium and Norway) of any goods and (in the case of Hungary) of a specified range of goods. These further exemptions will take effect when the international Agreement applicable to each country (as respectively referred to in Regulations 2(2), (4) and (5)) enters into force.

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