
STATUTORY INSTRUMENTS

1988 No. 1811

ROAD TRAFFIC

The Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1988

<i>Made</i>	- - - -	<i>14th October 1988</i>
<i>Laid before Parliament</i>		<i>28th October 1988</i>
<i>Coming into force</i>	- -	<i>18th November 1988</i>

The Secretary of State for Transport in exercise of the powers conferred by section 91(1), (4) and (5) of the Transport Act 1968⁽¹⁾, and now vested in him⁽²⁾, and of all other enabling powers, and, after consultation in accordance with section 91(8) of that Act, hereby makes the following Regulations:

1. These Regulations may be cited as the Goods Vehicles (Operators' Licences) (Temporary Use in Great Britain) (Amendment) Regulations 1988 and shall come into force on the 18th November 1988.

2. The Goods Vehicle (Operators' Licences) (Temporary Use in Great Britain) Regulations 1980⁽³⁾, shall be amended in accordance with the following provisions of these Regulations.

3. After regulation 28 (Exemption for Romanian goods vehicles) there shall be inserted the following Regulation:

“Exemptions and modification for Soviet Union goods vehicles

28A.—(1) In this regulation:

“Soviet Union goods vehicle” means a foreign goods vehicle—

- (a) which is owned by, or operated on behalf of, a person who is authorised under the law of the Union of Soviet Socialist Republics to use the vehicle in that country for the international carriage of goods; and
- (b) which, in the case of a motor vehicle, is registered in the Union of Soviet Socialist Republics; and
- (c) which, in the case of a trailer, is drawn in Great Britain only by a motor vehicle which is a Soviet Union goods vehicle; and

(1) 1968 c. 73.

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

(3) S.I. 1980/637, to which there are amendments not relevant to these Regulations.

“relevant date” means the date on which the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics concerning international road transport signed on the 22nd January 1988⁽⁴⁾ enters into force for the United Kingdom of Great Britain and Northern Ireland, which date shall be notified in the London Gazette.

(2) On or after the relevant date and subject to paragraph (6) and (7) below, section 60(1) of the Act shall not apply to the use of a Soviet Union goods vehicle by virtue of the carriage of such goods as are specified in paragraphs 3, 4 and 7 of Schedule 1.

(3) On or after the relevant date and subject to paragraph (6) and (7) below, section 60(1) of the Act shall not apply to the use of a Soviet Union goods vehicle by virtue of the carriage of such goods as are specified in paragraph 19, 19A and 19B of Schedule 1 if the goods are to be, or are being, returned to the country of origin of the vehicle or are to be, or are being, taken to another country.

(4) On or after the relevant date and subject to paragraph (6) and (7) below, section 60(1) of the Act shall not apply to the use of a Soviet Union goods vehicle which is a vehicle specified in paragraph 2 or 3 of Schedule 2.

(5) On or after the relevant date and subject to paragraph (6) and (7) below, in relation to a Soviet Union goods vehicle being used for the carriage of goods in a case to which none of the preceding exemptions apply, section 60(1) shall have effect as set out in Schedule 4.

(6) The foregoing exemptions and modification shall not apply unless there is carried on the vehicle or, if the vehicle is a trailer, on the motor vehicle by which it is drawn—

- (a) in the case of the carriage of goods under a contract to which the Convention on the Contract for the International Carriage of Goods by Road (as given the force of law in the United Kingdom by section 1 of the Carriage of Goods by Road Act 1965⁽⁵⁾) applies, a consignment note made out in accordance with that Convention and containing the particulars specified therein, or
- (b) in the case of the carriage of goods otherwise than under such a contract, a document or documents containing the following particulars:
 - (i) the date of the document and the place at which it is made out;
 - (ii) the name and address of the sender of the goods, if any;
 - (iii) the name and address of the carrier;
 - (iv) the date and place of taking over of the goods, if any, and the place designated for delivery, if any;
 - (v) the name and address of the consignee, if any;
 - (vi) the description in common use of the nature of the goods and the method of packing, and, in the case of dangerous goods, their generally recognised description;
 - (vii) the number of packages and their special marks and numbers;
 - (viii) the gross weight of the goods and their quantity otherwise expressed;
 - (ix) charges relating to the carriage (carriage charges, supplementary charges, Customs duties and other charges incurred during the journey); and
 - (x) the requisite instructions for Customs and other formalities.

(7) The foregoing exemptions and modification shall not apply to the use of a Soviet Union goods vehicle for the carriage of goods between a place in Great Britain and a place in

(4) Cmd. 421.
(5) 1965 c. 37.

a country other than Great Britain or the Soviet Union, or vice versa, unless there is carried on the vehicle, or if the vehicle is a trailer, on the motor vehicle by which it is drawn, a permit for the use of the vehicle for that purpose issued with the authority of the Secretary of State.”

4. In paragraph 2 of Schedule 2 for the word “carrying” shall be substituted the words “used for the carriage of”.

Signed by authority of the Secretary of State

14th October 1988

Peter Bottomley
Parliamentary Under Secretary of State,
Department of Transport

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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. Regulation 3 introduces a new Regulation to implement the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics concerning international road transport signed on the 22nd January 1988 (Cmd. 421). This agreement comes into force for the United Kingdom of Great Britain and Northern Ireland on a date to be notified in the London Gazette. Regulation 4 makes it clear that paragraph 2 of Schedule 2 applies whether or not the vehicle is empty.