

2021 No. 1187

ROAD TRAFFIC

The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2021

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| <i>Made</i> | - - - - | <i>26th October 2021</i> |
| <i>Laid before Parliament</i> | | <i>27th October 2021</i> |
| <i>Coming into force</i> | - - | <i>28th October 2021</i> |

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 2(2)(d) and 57(1), (7) and (8) of the Goods Vehicles (Licensing of Operators) Act 1995(a).

Representative organisations have been consulted in accordance with section 57(12) of that Act.

Citation, Commencement and Extent

1.—(1) These Regulations may be cited as the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2021 and come into force on 28th October 2021.

(2) These Regulations extend to England and Wales and Scotland.

Amendment of the Goods Vehicles (Licensing of Operators) Regulations 1995

2.—(1) The Goods Vehicles (Licensing of Operators) Regulations 1995(b) are amended as follows.

(2) In Part 1 of Schedule 3, after paragraph 23A insert—

“**23B.**—(1) A vehicle which is being used in Great Britain to carry out a cabotage operation—

- (a) which consists of national carriage for hire or reward by a haulier who is a holder of a Community licence and whose driver, if a national of a country which is not a member State, holds an EU driver attestation;
- (b) no more than 14 days has elapsed beginning with the day on which the vehicle arrived in the United Kingdom in the course of a laden journey; and
- (c) the vehicle is being used at any time during the period beginning with 28th October 2021 and ending with 30th April 2022.

(a) 1995 c.23. Section 2(2) was amended by S.I. 2011/263, Schedule 2, paragraph 2(3). See section 58(1) for the meaning of “prescribed” and “regulations”.

(b) S.I. 1995/2869, amended by S.I. 2010/455 and S.I. 2013/1750. There are further amendments to this SI which are not relevant to these Regulations.

(2) In this paragraph “Community licence” and “EU driver attestation” have the same meanings as in paragraph 23A.”.

Amendment of the Goods Vehicles (Licensing of Operators) (Temporary use in Great Britain) Regulations 1996

3. The Goods Vehicles (Licensing of Operators) (Temporary use in Great Britain) Regulations 1996(a) are amended as follows—

- (a) in the heading to regulation 7, after the words “carry out Community” insert “and other”;
- (b) in regulation 7, after paragraph (2), insert —

“(3) Section 2(1) of the Act shall not apply to the use of a foreign goods vehicle in Great Britain where that vehicle is being used in Great Britain to carry out a cabotage operation—

- (a) which consists of national carriage for hire or reward by a haulier;
- (b) where the vehicle has entered the United Kingdom lawfully in the course of a laden international road transport and no more than 14 days has elapsed beginning with the day on which the vehicle arrived in the United Kingdom in the course of that laden journey; and
- (c) the vehicle is being used at any time during the period beginning with 28th October 2021 and ending with 30th April 2022.”.

Signed by authority of the Secretary of State for Transport

26th October 2021

Vere
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Part 1 of Schedule 3 to the Goods Vehicles (Licensing of Operators) Regulations 1995. Schedule 3 specifies classes of vehicles the use of which is exempted from the requirement to hold an operator’s licence under the Goods Vehicles (Licensing of Operators) Act 1995.

Regulation 2(2) inserts an exemption for vehicles used in Great Britain for cabotage operations carried out over a 14-day period. The exemption is limited to carriage between the date of commencement and 30th April 2022. The exemption is in addition to that available under paragraph 23 of Schedule 3 to the Goods Vehicles (Licensing of Operators) Regulations 1995 for cabotage operation in accordance with Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market. The obligations on the haulier are substantially the same except that during the prescribed period the haulier is not subject to a limit on the number of cabotage operations or unloadings that may be conducted.

Regulation 3 amends Regulation 7 of Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 2016 so that the exemption under Regulation 7 is extended to hauliers established in non-Member states who are carrying out cabotage operations.

No impact assessment has been prepared for these Regulations.

(a) S.I. 1996/ 2186. Regulation 7 was amended by S.I. 2010/804 and S.I. 2019/670.

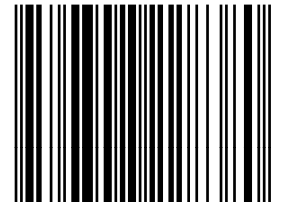
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