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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into force on the day after the day on which they are made, correct an error made in the Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 ([S.I. 2022/293](#)).

These Regulations are being issued free of charge to all known recipients of [S.I. 2022/293](#).

### **Part 2: Amendment of Regulation (EC) No 1071/2009**

Regulation 4 substitutes Article 4(1) of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (EUR 2009/1071).

The effect of the substitution is to restore the operation of section 14ZA(3) of the Public Passenger Vehicles Act 1981 (c. 14) and section 6A(2) of the Transport Act (Northern Ireland) 1967 (c. 37 (N.I.)), which both refer to provisions of Article 4 that were, on 17th March 2022, omitted in error.

Regulation 5 inserts Article 22A (transitional provisions) into EUR 2009/1071. Article 22A provides for persons who were, in relation to an undertaking which engages in the occupation of road haulage operator, designated a transport manager under Article 4(1) prior to its substitution, or Article 4(2) prior to 17th March 2022, to be treated by the competent authority as a transport manager designated by the undertaking under new Article 4(3A).

The expressions “competent authority”, “the occupation of road haulage operator”, “transport manager” and “undertaking” are defined in Article 2 of EUR 2009/1071 (definitions).

### **Part 3: Amendment of the Goods Vehicles (Licensing of Operators) Act 1995**

Regulation 7 makes incidental, and consequential, amendments to Schedule 6 to the Goods Vehicles (Licensing of Operators) Act 1995 (c. 23) (transitional provisions, transitory modifications and savings).

### **Part 4: Amendment of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010**

Regulation 9 omits section 12A(3)(c) of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 (c. 2 (N.I.)), which was redundant following amendments made in [S.I. 2022/293](#).

Regulation 10 makes incidental or consequential amendments to Schedule 5 to the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 (transitional provisions).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary, or public sector is foreseen.

An Explanatory Memorandum is published alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).