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STATUTORY INSTRUMENTS

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**2023 No. 805**

**The Goods Vehicles (Licensing of Operators) (Exemptions and Modifications) (Amendment) Regulations 2023**

**PART 2**

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

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

**3.** The Goods Vehicles (Licensing of Operators) Regulations 1995<sup>(1)</sup> are amended in accordance with regulations 4 to 8.

**Amendment to regulation 3 (interpretation)**

**4.** In regulation 3(2)—

(a) after the definition of “company” insert—

““country” includes territory;”;

(b) after the definition of “interim direction” insert—

““international operator” means a person who has an effective and stable establishment in a country other than the United Kingdom that is comparable to an effective and stable establishment in Great Britain as determined in accordance with paragraph A1 of Schedule 3 to the 1995 Act;”;

(c) in the definition of “relevant conviction”, omit “or territory”.

**Amendment to regulation 33 (classes of vehicle for which a licence is not required)**

**5.** In regulation 33(1), for “Part I” substitute “Parts 1 and 3”.

**Insertion of regulation 33A (modification of the 1995 Act and these Regulations for international operators)**

**6.** After regulation 33 insert—

**“Modification of the 1995 Act and these Regulations for international operators**

**33A.—**(1) This regulation applies in relation to vehicles that are—

- (a) brought temporarily into Great Britain by an international operator,
- (b) not subject to a relevant international agreement,

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(1) [S.I. 1995/2869](#), amended by [S.I. 2010/455](#), [2013/1750](#), [2018/25](#), [2019/708](#), [2020/818](#), [2021/1187](#) and [2022/293](#); other amendments are not relevant.

- (c) engaged in carrying goods by road on a journey some part of which has taken place, or will take place, outside the United Kingdom, and
- (d) not used at any time during that journey for the carriage of goods loaded at one place in the United Kingdom and delivered at another place in the United Kingdom.

(2) The 1995 Act and these Regulations have effect subject to the modifications set out in Schedule 3A.

(3) In this regulation “relevant international agreement” has the meaning given in section 1(4) of the Haulage Permits and Trailer Registration Act 2018<sup>(2)</sup>

### **Amendments to Schedule 3 (classes of vehicles for which a licence is not required)**

- 7.—(1) In Schedule 3, in Part 1, omit paragraphs 22A, 23 and 23B.
- (2) In Schedule 3, in Part 2, paragraphs 1 to 7 are renumbered as paragraphs 32 to 38.
- (3) In Schedule 3, after Part 2 insert—

## **“PART 3**

### **Vehicles brought temporarily into Great Britain**

#### **Interpretation of Part 3**

39.—(1) In this Part—

“EUR 2005/1” means Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97<sup>(3)</sup>;

“international carriage” means, except in paragraph 67, in relation to goods, the carriage of those goods by road—

- (a) from the United Kingdom to any other country, or vice versa, or
- (b) through the United Kingdom from, and to, any other country;

“kerbside weight” means the mass of a goods vehicle<sup>(4)</sup> when it carries nothing other than—

- (a) a full supply of fuel in its fuel tank,
- (b) an adequate supply of other liquids incidental to its propulsion, and
- (c) any loose tools and equipment with which it is normally equipped;

“livestock” includes the following domesticated animals—

- (a) bovids, which includes buffalo, cattle, deer, goats, sheep and yaks;
- (b) camelids, which includes alpacas and llamas;
- (c) cervids, which includes deer and elk;
- (d) equids, which includes asses, hinnies, horses and mules;
- (e) fowl, which includes chickens, ducks, geese, pheasants and turkeys;

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(2) 2018 c. 19.

(3) EUR 2005/1, amended by S.I. 2019/588, 802, 2020/1590, 2022/846, 1090 and 1315 and 2023/287 and 261.

(4) “Goods vehicle” is defined in section 58(1) of the 1995 Act as meaning a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted, but does not include a tramcar or trolley vehicle within the meaning of the Road Traffic Act 1988 (c. 52).

(f) pigs;

“livestock vehicle” means a goods vehicle—

(a) being used for the transport of livestock, and

(b) in respect of which a certificate of approval of means of transport by road has been granted under Article 18 of EUR 2005/1;

“maximum payload weight” means, in relation to a goods vehicle, the difference in mass between the kerbside weight of the vehicle and the maximum laden weight<sup>(5)</sup> of the vehicle;

“medical supplies” includes—

(a) medical appliances, equipment and products;

(b) medicines and medicaments;

“medium-weight vehicle” means a motor vehicle<sup>(6)</sup> or a vehicle combination<sup>(7)</sup> with either or both—

(a) a maximum laden weight not exceeding 6 tonnes;

(b) a maximum payload weight not exceeding 3.5 tonnes;

“moving vehicle” means a goods vehicle—

(a) on a journey for the relocation of furniture or other moveable effects, and

(b) being used by a person who uses specialised equipment and personnel for carrying out relocations<sup>(8)</sup>;

“non-commercial basis” has the meaning given in sub-paragraph (2);

“own account” has the meaning given in sub-paragraph (3);

“passenger vehicle” means a motor vehicle designed for the transport of eight or more persons, not including the driver, with or without a trailer<sup>(9)</sup> for carrying baggage;

“postal packet” means a letter, parcel, packet or other article transmissible by post;

“vehicle used for recovery” means a goods vehicle on a journey to remove, repair, replace, return or support a goods vehicle of another class specified in this Part that has broken-down;

“the UK-Switzerland Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Swiss Federal Council on the International Carriage of Passengers and Goods by Road done at Davos on 25th January 2019<sup>(10)</sup>;

“the UK-USSR Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics concerning International Road Transport with Administrative Memorandum done at London on 22nd January 1988<sup>(11)</sup>.

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(5) “Maximum laden weight” is defined in section 58(1) of the 1995 Act as having the meaning given in Part 4 of Schedule 6 to the Road Traffic Regulation Act 1984 (c. 27).

(6) Section 58(1) of the 1995 Act provides that “motor vehicle” has the same meaning as in section 253 of the Road Traffic Act 1960 (c. 16) (a mechanically propelled vehicle intended or adapted for use on roads).

(7) “Vehicle combination” is defined in section 58(1) of the 1995 Act as a combination of goods vehicles made up of one or more motor vehicles and one or more trailers all of which are linked together when travelling.

(8) The person using the vehicle is construed in accordance with section 58(2) of the 1995 Act.

(9) Section 58(1) of the 1995 Act provides that “trailer” has the same meaning as in section 253 of the Road Traffic Act 1960.

(10) Switzerland No. 1 (2019). Article 12(2) extends the agreement to Liechtenstein.

(11) Treaty Series No. 4 (1989). The UK-USSR Agreement remains in force with Armenia, Kyrgyzstan, Russia, Tajikistan, Turkmenistan and Uzbekistan.

(2) The operator of a goods vehicle uses it for the carriage of goods on a “non-commercial basis” if—

- (a) the purpose of the carriage is not to directly or indirectly generate any profit, or
- (b) the goods will be—
  - (i) exhausted in the destination country, or
  - (ii) used temporarily before being returned to the country of origin without alteration.

(3) The person using the vehicle (“the user”) uses it for the carriage of goods on “own account” if—

- (a) the user—
  - (i) owns the goods, or
  - (ii) has bought, extracted, hired, let out on hire, processed, produced, repaired or sold the goods,
- (b) the vehicle is—
  - (i) hired, leased or owned by the user, and
  - (ii) driven by the user or a person under a contract of service with the user,
- (c) the goods are carried—
  - (i) from or to the user’s premises, or
  - (ii) between other places for the user’s own requirements, and
- (d) the carriage of the goods is no more than ancillary to the overall activities of the user.

#### **Vehicles used by operators authorised etc. in Northern Ireland**

**40.**—(1) A Northern Ireland vehicle—

- (a) brought temporarily into Great Britain by a Northern Ireland operator, and
- (b) used by the operator for the carriage of goods for hire or reward.

(2) A Northern Ireland vehicle—

- (a) brought temporarily into Great Britain by a Northern Ireland operator,
- (b) used by the operator for the carriage of goods other than for hire or reward, and
- (c) the driver of which carries a document that sets out the following information—
  - (i) the name and address of the driver,
  - (ii) the name and address of the Northern Ireland operator,
  - (iii) the nature of the trade or business of the operator,
  - (iv) a description of the goods being carried,
  - (v) the loading and unloading locations for the goods being carried,
  - (vi) the number plate of the vehicle, and
  - (vii) the route of the Northern Ireland vehicle.

(3) In this paragraph—

“Northern Ireland licence” means a licence issued to an operator under the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010<sup>(12)</sup>;

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(12) 2010 c. 2 (N.I.); relevantly amended by the Haulage Permits and Trailer Registration Act 2018 (c. 19), section 12, S.I. 2019/708 and 2022/293 and S.R. 2012/257.

“Northern Ireland operator” means, in relation to a Northern Ireland vehicle—

- (a) the person who holds the Northern Ireland licence under which the vehicle is authorised to be used, or
- (b) where the vehicle is not required to be authorised to be used under a Northern Ireland licence, an operator of the vehicle who has their principal place of business in Northern Ireland;

“Northern Ireland vehicle” means—

- (a) a motor vehicle or trailer—
  - (i) the operating centre of which is in Northern Ireland,
  - (ii) not used in the manner described in section 2(2)(c) of the 1995 Act, and
  - (iii) in the case of a motor vehicle, registered in Northern Ireland or Great Britain, or
- (b) a vehicle combination—
  - (i) not used in the manner described in section 2(2)(c) of the 1995 Act, and
  - (ii) which consists of—
    - (aa) a motor vehicle registered in Northern Ireland or Great Britain, the operating centre of which is in Northern Ireland, and
    - (bb) a trailer;

“operating centre”, in relation to any motor vehicle or trailer, means the base or centre at which it is normally kept.

### **Vehicles used by operators authorised in Albania**

**41.**—(1) An Albania vehicle—

- (a) brought temporarily into Great Britain by an Albania operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Albania operator” means a person who is—

- (a) authorised under the law of Albania to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Albania Agreement;

“Albania vehicle” means—

- (a) a motor vehicle registered in Albania, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Albania, and
  - (ii) a trailer;

“the UK-Albania Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Albania on International Road Transport done at Rome on 9th February 1993(13).

## **Vehicles used by operators authorised in Armenia**

### **42.—(1) An Armenia vehicle—**

- (a) brought temporarily into Great Britain by an Armenia operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Armenia, or vice versa, and
- (c) which is—
  - (i) a vehicle used for recovery,
  - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
  - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

### **(2) The goods are—**

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
  - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
  - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

### **(3) An Armenia vehicle—**

- (a) brought temporarily into Great Britain by an Armenia operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Armenia, or vice versa,
- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
- (d) on which the driver of the vehicle is carrying the permit.

### **(4) In this paragraph—**

“Armenia operator” means a person who is—

- (a) authorised under the law of Armenia to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;

“Armenia vehicle” means—

- (a) a motor vehicle registered in Armenia, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Armenia, and
  - (ii) a trailer.

## **Vehicles used by operators authorised in Azerbaijan**

### **43.—(1) An Azerbaijan vehicle—**

- (a) brought temporarily into Great Britain by an Azerbaijan operator,
- (b) used by the operator for the international carriage of goods, and
- (c) which is any of the following—
  - (i) a livestock vehicle;
  - (ii) a medium-weight vehicle;
  - (iii) a vehicle used for recovery;
  - (iv) a newly-acquired unladen vehicle being delivered to its final destination;
  - (v) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
  - (vi) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 of the UK-Azerbaijan Agreement, if the driver of the vehicle is carrying the permit.

### **(2) The goods are—**

- (a) a broken-down or damaged goods vehicle;
- (b) goods carried on a non-commercial basis for—
  - (i) a cinematographic, circus, musical or theatrical performance;
  - (ii) an exhibition or sports event;
  - (iii) a fair, fête or other event;
  - (iii) a film, radio or television production;
- (c) goods carried from or to an airport in support of an air service that has been diverted;
- (d) goods carried on own account;
- (e) goods transported during resettlement;
- (f) medical supplies for use in the event of a natural disaster or other emergency;
- (g) postal packets;
- (h) the remains of a deceased individual;
- (i) spare parts to repair an aircraft or ocean-going ship.

### **(3) In this paragraph—**

“Azerbaijan operator” means a person who is—

- (a) authorised under the law of Azerbaijan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to an exclusion notice issued to the person pursuant to Article 14(1)(c) of the UK-Azerbaijan Agreement;

“Azerbaijan vehicle” means—

- (a) a motor vehicle registered in Azerbaijan, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Azerbaijan, and
  - (ii) a trailer;

“the UK-Azerbaijan Agreement” means the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Azerbaijan on International Road Transport done at Baku on 23 February 2023<sup>(14)</sup>.

#### **Vehicles used by operators authorised in Belarus**

**44.—(1) A Belarus vehicle—**

- (a) brought temporarily into Great Britain by a Belarus operator,
- (b) used by the operator for the international carriage of goods, and
- (c) which is any of the following—
  - (i) a medium-weight vehicle;
  - (ii) a moving vehicle;
  - (iii) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
  - (iv) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 of the UK-Belarus Agreement, if the driver of the vehicle is carrying the permit.

**(2) The goods are—**

- (a) a broken-down or damaged vehicle;
- (b) goods dispatched to a country—
  - (i) to be exhausted through use for a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a funfair, or a sports event, or
  - (ii) to be used temporarily for a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a funfair, or a sports event, before being removed from that country to any other country;
- (c) goods for humanitarian aid;
- (d) postal packets;
- (e) the remains of a deceased individual.

**(3) In this paragraph—**

“Belarus operator” means a person who is—

- (a) authorised under the law of Belarus to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a ban issued to the person pursuant to Article 11(1)(c) of the UK-Belarus Agreement;

“Belarus vehicle” means—

- (a) a motor vehicle registered in Belarus, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Belarus, and
  - (ii) a trailer;

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<sup>(14)</sup> Publication pending. A hard copy can be obtained on request from the International Road Haulage Permit Office: email [irhp@dvsa.gov.uk](mailto:irhp@dvsa.gov.uk) or telephone 020 8158 0250.



“the UK-Belarus Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Belarus concerning International Motor Vehicle Carriage done at Minsk on 18th March 2019<sup>(15)</sup>.

#### **Vehicles used by operators authorised in Bosnia and Herzegovina**

**45.**—(1) A Bosnia and Herzegovina vehicle—

- (a) brought temporarily into Great Britain by a Bosnia and Herzegovina operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Bosnia and Herzegovina operator” means a person who—

- (a) is authorised under the law of Bosnia and Herzegovina to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1) (c) of the UK-Bosnia and Herzegovina Agreement, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Bosnia and Herzegovina that is comparable to a standard licence<sup>(16)</sup>;

“Bosnia and Herzegovina vehicle” means—

- (a) a motor vehicle registered in Bosnia and Herzegovina, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Bosnia and Herzegovina, and
  - (ii) a trailer;

“the UK-Bosnia and Herzegovina Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Council of Ministers of Bosnia and Herzegovina on International Road Transport done at Sarajevo on 1st December 2020<sup>(17)</sup>.

#### **Vehicles used by operators authorised in Georgia**

**46.**—(1) A Georgia vehicle—

- (a) brought temporarily into Great Britain by a Georgia operator,
- (b) used by the operator for the international carriage of goods, and
- (c) used by the operator for—
  - (i) the carriage only of one or more of the goods listed in sub-paragraph (2), or
  - (ii) the carriage of goods under a permit issued to the operator pursuant to Article 4 of the UK-Georgia Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged vehicle;
- (b) goods for—
  - (i) a cinematographic, circus, musical or theatrical performance;

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<sup>(15)</sup> Belarus No. 1 (2019).

<sup>(16)</sup> The term “standard licence” has the meaning given in section 3(2) of the 1995 Act.

<sup>(17)</sup> Bosnia and Herzegovina No. 1 (2021).

- (ii) an exhibition, fair or sports event;
  - (iii) a film, radio or television production;
  - (c) medical supplies for use in the event of a natural disaster or other emergency;
  - (d) an object or artwork for exhibition;
  - (e) postal packets;
  - (f) samples of objects and materials the carriage of which is—
    - (i) occasional, and
    - (ii) exclusively for information or publicity purposes;
  - (g) goods carried on own account, but not if the origin or destination is a country other than the United Kingdom or Georgia.
- (3) In this paragraph—
- “Georgia operator” means a person who is—
- (a) authorised under the law of Georgia to use a goods vehicle on a road for the international carriage of goods, and
  - (b) not subject to an exclusion notice issued to the person pursuant to Article 10(1)(c) of the UK-Georgia Agreement;
- “Georgia vehicle” means—
- (a) a motor vehicle registered in Georgia, or
  - (b) a vehicle combination consisting of—
    - (i) a motor vehicle registered in Georgia, and
    - (ii) a trailer;
- “the UK-Georgia Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Georgia on International Road Transport done at London on 13th November 1997<sup>(18)</sup>.

### **Vehicles used by operators authorised in Jordan**

- 47.—**(1) A Jordan vehicle—
- (a) brought temporarily into Great Britain by a Jordan operator, and
  - (b) used by the operator, subject to sub-paragraph (2), for the carriage of goods—
    - (i) from the United Kingdom to Jordan, or vice versa,
    - (ii) through Great Britain from Jordan to a country other than the United Kingdom, or vice versa, or
    - (iii) from the United Kingdom to a country other than the United Kingdom or Jordan, or vice versa, only if the carriage of goods passes through Jordan.
- (2) A Jordan vehicle which enters the United Kingdom unladen on its return to Jordan from any other country and on which the Jordan operator picks up goods in Great Britain falls within sub-paragraph (1)(b) only if permission is obtained in advance pursuant to Article 3(b) of the UK-Jordan Agreement.
- (3) In this paragraph—
- “Jordan operator” means a person who is—

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<sup>(18)</sup> Georgia No. 1 (1998).

- (a) authorised under the law of Jordan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a prohibition issued to the person pursuant to Article 10(2)(b) of the UK-Jordan Agreement;

“Jordan vehicle” means—

- (a) a motor vehicle registered in Jordan, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Jordan, and
  - (ii) a trailer;

“the UK-Jordan Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hashemite Kingdom of Jordan on the International Transport of Goods by Road done at Amman on 2nd February 1981<sup>(19)</sup>.

#### **Vehicles used by operators authorised in Kazakhstan**

**48.**—(1) A Kazakhstan vehicle—

- (a) brought temporarily into Great Britain by a Kazakhstan operator,
- (b) used by the operator for the international carriage of goods, and
- (c) which is one of the following—
  - (i) a medium-weight vehicle;
  - (ii) an unladen vehicle on delivery from its place of manufacture in Kazakhstan to a business in Great Britain;
  - (iii) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
  - (iv) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 4 of the UK-Kazakhstan Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged vehicle;
- (b) goods dispatched to a country—
  - (i) to be exhausted through use for educational or publicity purposes, a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a fair or a religious or sports event, or
  - (ii) to be used temporarily for educational or publicity purposes, a film, radio or television production, a cinematographic, circus, musical or theatrical performance, an exhibition, a fair or a religious or sports event before being removed from that country to any other country;
- (c) goods for humanitarian aid;
- (d) medical supplies for use in the event of a natural disaster or other emergency;
- (e) postal packets;
- (f) the remains of a deceased individual.

(3) In this paragraph—

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<sup>(19)</sup> Treaty Series No. 43 (1982), amended by Treaty Series No. 68 (1986).

“Kazakhstan operator” means a person who is—

- (a) authorised under the law of Kazakhstan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to an exclusion notice issued to the person pursuant to Article 10(1)(c) of the UK-Kazakhstan Agreement;

“Kazakhstan vehicle” means—

- (a) a motor vehicle registered in Kazakhstan, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Kazakhstan, and
  - (ii) a trailer;

“the UK-Kazakhstan Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kazakhstan on International Road Transport done at London on 22nd November 2006<sup>(20)</sup>.

#### **Vehicles used by operators authorised in Kosovo**

**49.**—(1) A Kosovo vehicle—

- (a) brought temporarily into Great Britain by a Kosovo operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Kosovo operator” means a person who—

- (a) is authorised under the law of Kosovo to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Kosovo Agreement, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Kosovo that is comparable to a standard licence;

“Kosovo vehicle” means—

- (a) a motor vehicle registered in Kosovo, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Kosovo, and
  - (ii) a trailer;

“the UK-Kosovo Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kosovo on International Road Transport done at Pristina on 11th December 2020<sup>(21)</sup>.

#### **Vehicles used by operators authorised in Kyrgyzstan**

**50.**—(1) A Kyrgyzstan vehicle—

- (a) brought temporarily into Great Britain by a Kyrgyzstan operator,

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<sup>(20)</sup> Kazakhstan No. 1 (2019).

<sup>(21)</sup> Kosovo No. 1 (2021).

- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Kyrgyzstan, or vice versa, and
- (c) which is—
  - (i) a vehicle used for recovery,
  - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
  - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
  - (a) a broken-down or damaged goods vehicle or passenger vehicle;
  - (b) goods dispatched to a country—
    - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
    - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
  - (c) postal packets;
  - (d) the remains of a deceased individual.
- (3) A Kyrgyzstan vehicle—
  - (a) brought temporarily into Great Britain by a Kyrgyzstan operator,
  - (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Kyrgyzstan, or vice versa,
  - (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
  - (d) on which the driver of the vehicle is carrying the permit.
- (4) In this paragraph—
  - “Kyrgyzstan operator” means a person who is—
    - (a) authorised under the law of Kyrgyzstan to use a goods vehicle on a road for the international carriage of goods, and
    - (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;
  - “Kyrgyzstan vehicle” means—
    - (a) a motor vehicle registered in Kyrgyzstan, or
    - (b) a vehicle combination consisting of—
      - (i) a motor vehicle registered in Kyrgyzstan, and
      - (ii) a trailer.

### **Vehicles used by operators authorised in Liechtenstein**

- 51.—**(1) A Liechtenstein vehicle—
  - (a) brought temporarily into Great Britain by a Liechtenstein operator, and
  - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—

“Liechtenstein operator” means a person who—

- (a) is authorised under the law of Liechtenstein to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(2)(c) of the UK-Switzerland Agreement<sup>(22)</sup>, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Liechtenstein that is comparable to a standard licence;

“Liechtenstein vehicle” means—

- (a) a motor vehicle registered in Liechtenstein, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Liechtenstein, and
  - (ii) a trailer.

### **Vehicles used by operators authorised in Moldova**

**52.**—(1) A Moldova vehicle—

- (a) brought temporarily into Great Britain by a Moldova operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Moldova operator” means a person who is—

- (a) authorised under the law of Moldova to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Moldova Agreement;

“Moldova vehicle” means—

- (a) a motor vehicle registered in Moldova, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Moldova, and
  - (ii) a trailer;

“the UK-Moldova Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Moldova on International Road Transport done at London on 15th October 1996<sup>(23)</sup>.

### **Vehicles used by operators authorised in Montenegro**

**53.**—(1) A Montenegro vehicle—

- (a) brought temporarily into Great Britain by a Montenegro operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Montenegro operator” means a person who—

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<sup>(22)</sup> Article 12(2) of the UK-Switzerland Agreement extends it to Liechtenstein.

<sup>(23)</sup> Moldova No. 2 (1996).

- (a) is authorised under the law of Montenegro to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Montenegro Agreement, and
- (c) holds a licence issued under the law of Montenegro that is comparable to a standard licence;

“Montenegro vehicle” means—

- (a) a motor vehicle registered in Montenegro, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Montenegro, and
  - (ii) a trailer;

“the UK-Montenegro Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Montenegro on International Road Transport done at London on 3rd September 2019(24).

#### **Vehicles used by operators authorised in Morocco**

**54.—**(1) A Morocco vehicle—

- (a) brought temporarily into Great Britain by a Morocco operator,
- (b) which is used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 3 or Article 7 of the UK-Morocco Agreement, and
- (c) on which the driver of the vehicle is carrying the permit.

(2) A Morocco vehicle—

- (a) brought temporarily into Great Britain by a Morocco operator,
- (b) used for the carriage of goods on a journey—
  - (i) from the United Kingdom to Morocco, or vice versa, or
  - (ii) through the United Kingdom from, and to, any other country, and
- (c) which is—
  - (i) a livestock vehicle, or
  - (ii) used for the carriage only of one or more of the goods listed in subparagraph (3).

(3) The goods are—

- (a) medical supplies for use in the event of a natural disaster or other emergency;
- (b) goods carried from or to an airport in support of an air service that has been diverted;
- (c) an animal.

(4) In this paragraph—

“Morocco operator” means a person who is—

- (a) authorised under the law of Morocco to use a Morocco vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 16(1)(b) of the UK-Morocco Agreement;

“Morocco vehicle” means—

- (a) a motor vehicle registered in Morocco, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Morocco, and
  - (ii) a trailer;

“the UK-Morocco Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Morocco on the International Carriage of Goods by Road with Administrative Memorandum done at Marrakesh on 15th April 1994<sup>(25)</sup>.

### **Vehicles used by operators authorised in North Macedonia**

**55.**—(1) A North Macedonia vehicle—

- (a) brought temporarily into Great Britain by a North Macedonia operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“North Macedonia operator” means a person who is—

- (a) authorised under the law of North Macedonia to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-North Macedonia Agreement;

“North Macedonia vehicle” means—

- (a) a motor vehicle registered in North Macedonia, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in North Macedonia, and
  - (ii) a trailer;

“the UK-North Macedonia Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Macedonian Government on International Road Transport done at Skopje on 18th June 1996<sup>(26)</sup>.

### **Vehicles used by operators authorised in Norway**

**56.**—(1) A Norway vehicle—

- (a) brought temporarily into Great Britain by a Norway operator who holds a Community licence,
- (b) on which the driver of the vehicle is carrying the licence, and
- (c) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Community licence” means a licence issued pursuant to Article 4 of 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<sup>(27)</sup> (Community licence) as incorporated into the EEA Agreement;

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<sup>(25)</sup> Treaty Series No. 90 (2000).

<sup>(26)</sup> Treaty Series No. 35 (2005).

<sup>(27)</sup> OJ No. L 300, 14.11.2009, p. 72, as incorporated into, and adapted for the purposes of, the EEA Agreement under Decision of the EEA Joint Committee No 88/2014 of 16 May 2014 amending Annex XIII (Transport) to the EEA Agreement (OJ No. L



“Norway operator” means an operator who—

- (a) is authorised under the law of Norway to use a goods vehicle on a road for the international carriage of goods, and
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(1)(c) of the UK-Norway Agreement;

“Norway vehicle” means—

- (a) a motor vehicle registered in Norway, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Norway, and
  - (ii) a trailer;

“the UK-Norway Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway on International Road Transport, with Protocol, done at Oslo on 18th March 2019<sup>(28)</sup>.

### **Vehicles used by operators authorised in Russia**

57.—(1) A Russia vehicle—

- (a) brought temporarily into Great Britain by a Russia operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Russia, or vice versa, and
- (c) which is—
  - (i) a vehicle used for recovery,
  - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
  - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
  - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
  - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

(3) A Russia vehicle—

- (a) brought temporarily into Great Britain by a Russia operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Russia, or vice versa,

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310, 30.10.2014, pp. 40-51). The model of a Community licence as issued by Iceland, Liechtenstein or Norway is set out in Appendix 2 to Annex XIII to the EEA Agreement.

<sup>(28)</sup> Norway No. 1 (2019).

- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
- (d) on which the driver of the vehicle is carrying the permit.

(4) In this paragraph—

“Russia operator” means a person who is—

- (a) authorised under the law of Russia to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;

“Russia vehicle” means—

- (a) a motor vehicle registered in Russia, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Russia, and
  - (ii) a trailer.

#### **Vehicles used by operators authorised in Serbia**

**58.**—(1) A Serbia vehicle—

- (a) brought temporarily into Great Britain by a Serbia operator, and
- (b) used by the operator for the international carriage of goods.

(2) In this paragraph—

“Serbia operator” means a person who—

- (a) is authorised under the law of Serbia to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion undertaken in accordance with Article 9(1)(b) of the UK-Serbia Agreement, and
- (c) holds a licence issued under the law of Serbia that is comparable to a standard licence;

“Serbia vehicle” means—

- (a) a motor vehicle registered in Serbia, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Serbia, and
  - (ii) a trailer;

“the UK-Serbia Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Serbia on International Road Transport done at London on 6th February 2019<sup>(29)</sup>.

#### **Vehicles used by operators authorised in Switzerland**

**59.**—(1) A Switzerland vehicle—

- (a) brought temporarily into Great Britain by a Switzerland operator, and
- (b) used by the operator for the international carriage of goods.

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<sup>(29)</sup> Serbia No. 1 (2019).

(2) In this paragraph—

“Switzerland operator” means a person who—

- (a) is authorised under the law of Switzerland to use a goods vehicle on a road for the international carriage of goods,
- (b) is not subject to an exclusion notice issued to the person pursuant to Article 9(2) (c) of the UK-Switzerland Agreement, and
- (c) if carrying goods for hire or reward, holds a licence issued under the law of Switzerland that is comparable to a standard licence;

“Switzerland vehicle” means—

- (a) a motor vehicle registered in Switzerland, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Switzerland, and
  - (ii) a trailer.

### **Vehicles used by operators authorised in Tajikistan**

**60.**—(1) A Tajikistan vehicle—

- (a) brought temporarily into Great Britain by a Tajikistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Tajikistan, or vice versa, and
- (c) which is—
  - (i) a vehicle used for recovery,
  - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
  - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
  - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
  - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

(3) A Tajikistan vehicle—

- (a) brought temporarily into Great Britain by a Tajikistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Tajikistan, or vice versa,
- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
- (d) on which the driver of the vehicle is carrying the permit.

(4) In this paragraph—

“Tajikistan operator” means a person who is—

- (a) authorised under the law of Tajikistan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;

“Tajikistan vehicle” means—

- (a) a motor vehicle registered in Tajikistan, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Tajikistan, and
  - (ii) a trailer.

### **Vehicles used by operators authorised in Tunisia**

**61.**—(1) A Tunisia vehicle—

- (a) brought temporarily into Great Britain by a Tunisia operator,
- (b) which is any of the following—
  - (i) a medium-weight vehicle;
  - (ii) a moving vehicle;
  - (iii) a vehicle used for recovery;
  - (iv) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
  - (v) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 3 of the UK-Tunisia Agreement, if the driver of the vehicle is carrying the permit, and
- (c) used by the operator for the carriage of goods—
  - (i) from the United Kingdom to Tunisia, or vice versa,
  - (ii) through the United Kingdom from, and to, any other country, or
  - (iii) from the United Kingdom to a country other than Tunisia, or vice versa, under a permit issued to the operator pursuant to Article 1(2) of the UK-Tunisia Agreement, if the driver of the vehicle is carrying the permit.

(2) The goods are—

- (a) an antique or artwork;
- (b) bees for release into a hive or other environment;
- (c) a broken-down or damaged vehicle;
- (d) fish for release into a lake, ocean, river or other body of water;
- (e) goods for—
  - (i) a cinematographic, circus, musical or theatrical performance;
  - (ii) an exhibition, fair or sports event;
  - (iii) a film, radio or television production;
- (f) goods carried from or to an airport in support of an air service that has been diverted;
- (g) luggage carried from or to an airport;
- (h) medical supplies for use in the event of a natural disaster or other emergency;

- (i) postal packets;
  - (j) the remains of—
    - (i) an animal for disposal other than by human consumption;
    - (ii) a deceased individual;
  - (k) spare parts for an ocean-going ship.
- (3) In this paragraph—
- “Tunisia operator” means a person who is—
- (a) authorised under the law of Tunisia to use a goods vehicle on a road for the international carriage of goods, and
  - (b) not subject to an exclusion notice issued to the person pursuant to Article 7(1)(c) of the UK-Tunisia Agreement;
- “Tunisia vehicle” means—
- (a) a motor vehicle registered in Tunisia, or
  - (b) a vehicle combination consisting of—
    - (i) a motor vehicle registered in Tunisia, and
    - (ii) a trailer;
- “the UK-Tunisia agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Tunisian Republic on the International Carriage of Goods by Road done at London on 10th March 1982(30).

#### **Vehicles used by operators authorised in Turkey**

- 62.**—(1) A Turkey vehicle—
- (a) brought temporarily into Great Britain by a Turkey operator, and
  - (b) used by the operator for the carriage of goods—
    - (i) from the United Kingdom to Turkey, or vice versa,
    - (ii) through the United Kingdom from Turkey to a country other than the United Kingdom, or vice versa, or
    - (iii) from the United Kingdom to a country other than the United Kingdom or Turkey, or vice versa, under a permit issued to the operator pursuant to Article 9 of the UK-Turkey Agreement, if the driver of the vehicle is carrying the permit.
- (2) In this paragraph—
- “Turkey operator” means a person who is authorised under the law of Turkey to use a goods vehicle on a road for the international carriage of goods;
- “Turkey vehicle” means—
- (a) a motor vehicle registered in Turkey, or
  - (b) a vehicle combination consisting of—
    - (i) a motor vehicle registered in Turkey, and
    - (ii) a trailer;
- “the UK-Turkey Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the

Republic of Turkey concerning International Road Transport done at Ankara on 9th September 1977(31).

### **Vehicles used by operators authorised in Turkmenistan**

**63.—(1) A Turkmenistan vehicle—**

- (a) brought temporarily into Great Britain by a Turkmenistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Turkmenistan, or vice versa, and
- (c) which is—
  - (i) a vehicle used for recovery,
  - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or
  - (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.

**(2) The goods are—**

- (a) a broken-down or damaged goods vehicle or passenger vehicle;
- (b) goods dispatched to a country—
  - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
  - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
- (c) postal packets;
- (d) the remains of a deceased individual.

**(3) A Turkmenistan vehicle—**

- (a) brought temporarily into Great Britain by a Turkmenistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Turkmenistan, or vice versa,
- (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
- (d) on which the driver of the vehicle is carrying the permit.

**(4) In this paragraph—**

“Turkmenistan operator” means a person who is—

- (a) authorised under the law of Turkmenistan to use a goods vehicle on a road for the international carriage of goods, and
- (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;

“Turkmenistan vehicle” means—

- (a) a motor vehicle registered in Turkmenistan, or
- (b) a vehicle combination consisting of—

- (i) a motor vehicle registered in Turkmenistan, and
- (ii) a trailer.

### **Vehicles used by operators authorised in Ukraine**

#### **64.—(1) A Ukraine vehicle—**

- (a) brought temporarily into Great Britain by a Ukraine operator,
- (b) used by a Ukraine operator for the international carriage of goods, and
- (c) which is any of the following—
  - (i) a medium-weight vehicle;
  - (ii) a Euro V standards-compliant vehicle;
  - (iii) a Euro VI standards-compliant vehicle;
  - (iv) a zero-emission vehicle;
  - (v) a vehicle used by a Ukraine operator for the carriage of goods on own account on a journey from the United Kingdom to Ukraine, or vice versa;
  - (vi) any other vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2);
  - (vii) any other vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 of the UK-Ukraine Agreement, if the driver of the vehicle is carrying the permit.

#### **(2) The goods are—**

- (a) an artwork or art object for use in an exhibition or for a commercial purpose;
- (b) a broken-down or damaged vehicle;
- (c) goods for—
  - (i) a cinematographic, circus, musical or theatrical performance;
  - (ii) an exhibition, fair or sports event;
  - (iii) a film, radio or television production;
- (d) medical supplies for use in the event of a natural disaster or other emergency;
- (e) postal packets;
- (f) samples of objects and materials the carriage of which is—
  - (i) occasional, and
  - (ii) exclusively for information or publicity purposes.

#### **(3) In this paragraph—**

“Euro V standards compliant vehicle” means a vehicle where the engine satisfies the emissions limit values set out in row B2 and row C of each of the tables in Section 6.2.1 of Annex 1 to [Directive 2005/55/EC](#) of the European Parliament and Council of 28 September 2005<sup>(32)</sup>, as that law had effect on 30 December 2013;

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<sup>(32)</sup> OJ No. L 275, 20.10.2005, p. 1, amended by OJ No. L 313, 29.11.2005, p. 1, OJ No. L 152, 7.6.2006, p. 11 and OJ No. L 192, 19.7.2008, p. 51. The full title of the Directive is [Directive 2005/55/EC](#) of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. The Directive was repealed with effect from 31 December 2013 by Regulation [\(EC\) No 595/2009](#) of the European Parliament and of the Council of 18 June 2009.

“Euro VI standards compliant vehicle” means a vehicle where the engine satisfies the emissions limit values set out in Annex 1 to Regulation 595/2009<sup>(33)</sup> of the European Parliament and Council of 18 June 2009, as that law had effect immediately before IP completion day;

“Ukraine operator” means an operator who is—

- (a) authorised under the law of Ukraine to engage in the international carriage of goods, and
- (b) not subject to an exclusion notice issued by the Government of Ukraine pursuant to Article 11(1)(c) of the UK-Ukraine Agreement;

“Ukraine vehicle” means—

- (a) a motor vehicle registered in Ukraine, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in Ukraine, and
  - (ii) a trailer;

“the UK-Ukraine Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ukraine on International Road Transport done at London on 13th December 1995<sup>(34)</sup>;

“zero-emission vehicle” means a vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1g CO<sub>2</sub>/kWh as determined in accordance with Regulation (EC) No 595/2009 of the European Parliament and of the Council and its implementing measures<sup>(35)</sup>, as that law had effect immediately before IP completion day, or that emits less than 1g CO<sub>2</sub>/km as determined in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council<sup>(36)</sup> and its implementing measures<sup>(37)</sup>, as that law had effect immediately before IP completion day.

## **Vehicles used by operators authorised in Uzbekistan**

**65.—**(1) An Uzbekistan vehicle—

- (a) brought temporarily into Great Britain by an Uzbekistan operator,
- (b) used by the operator for the international carriage of goods on a journey that is not from the United Kingdom to a country other than Uzbekistan, or vice versa, and
- (c) which is—
  - (i) a vehicle used for recovery,
  - (ii) a vehicle used by the operator for the carriage only of one or more of the goods listed in sub-paragraph (2), or

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<sup>(33)</sup> OJ No. L 188, 18.7.2009, p. 1, amended by OJ No. L167, 25.6.2011, p. 1, OJ No. L 47, 18.2.2014, p. 1, OJ No. L 151, 14.6.2018, p. 1 and OJ No. 198, 15.7.2019, p. 202. The full title of the Regulation is Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC.

<sup>(34)</sup> Treaty Series No. 121 (2000), amended by Ukraine No. 1 (2019).

<sup>(35)</sup> EUR 2011/582; EUR 2017/2400.

<sup>(36)</sup> Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1).

<sup>(37)</sup> EUR 2017/1151.



- (iii) a vehicle used by the operator for the carriage of goods under a permit issued to the operator pursuant to Article 5 or Article 7 of the UK-USSR Agreement, if the driver of the vehicle is carrying the permit.
- (2) The goods are—
  - (a) a broken-down or damaged goods vehicle or passenger vehicle;
  - (b) goods dispatched to a country—
    - (i) to be exhausted through use for a film, radio or television production, an exhibition, a fair, or a sports event, or
    - (ii) to be used temporarily for a film, radio or television production, an exhibition, a fair, or a sports event, before being removed from that country to any other country;
  - (c) postal packets;
  - (d) the remains of a deceased individual.
- (3) An Uzbekistan vehicle—
  - (a) brought temporarily into Great Britain by an Uzbekistan operator,
  - (b) used by the operator for the international carriage of goods on a journey that is from the United Kingdom to a country other than Uzbekistan, or vice versa,
  - (c) used by the operator for the carriage of goods under a special permit issued to the operator pursuant to Article 9(2) of the UK-USSR Agreement, and
  - (d) on which the driver of the vehicle is carrying the permit.
- (4) In this paragraph—
  - “Uzbekistan operator” means a person who is—
    - (a) authorised under the law of Uzbekistan to use a goods vehicle on a road for the international carriage of goods, and
    - (b) not subject to a withdrawal issued to the person pursuant to Article 20(c) of the UK-USSR Agreement;
  - “Uzbekistan vehicle” means—
    - (a) a motor vehicle registered in Uzbekistan, or
    - (b) a vehicle combination consisting of—
      - (i) a motor vehicle registered in Uzbekistan, and
      - (ii) a trailer.

#### **Vehicles used by operators established in the Channel Islands, the Faroe Islands, the Isle of Man or Gibraltar**

- 66.**—(1) A qualifying vehicle—
  - (a) brought temporarily into Great Britain by a qualifying operator, and
  - (b) used by the operator for the international carriage of goods.
- (2) In this paragraph—
  - “operator” means, in relation to a qualifying vehicle—
    - (a) the driver of the vehicle, if the vehicle belongs to the driver or is in the driver’s possession under an agreement for hire or hire-purchase, or a loan;
    - (b) in any other case, the person whose employee or agent the driver is;

“qualifying operator” means, in relation to a qualifying vehicle, an operator who has an effective and stable establishment in the country in which the qualifying vehicle is registered;

“qualifying vehicle” means—

- (a) a motor vehicle registered in—
  - (i) the Faroe Islands,
  - (ii) Gibraltar,
  - (iii) the Bailiwick of Guernsey,
  - (iv) the Bailiwick of Jersey, or
  - (v) the Isle of Man, or
- (b) a vehicle combination consisting of—
  - (i) a motor vehicle registered in a country mentioned in paragraph (a), and
  - (ii) a trailer.

#### **Vehicles used by operators authorised in the European Union**

##### **67.—(1) An EU vehicle—**

- (a) brought temporarily into Great Britain by a person who holds a Community licence,
- (b) on which the driver of the vehicle is carrying a certified true copy of the licence, and
- (c) used by the person for either or both—
  - (i) the international carriage of goods;
  - (ii) national transport operations pursuant to Chapter 3 of EUR 2009/1072 (cabotage) and in accordance with sub-paragraph (4).

##### **(2) An EU vehicle—**

- (a) brought temporarily into Great Britain by a person who carries on a trade or business in a member State, and
- (b) used by the person for either or both—
  - (i) the international carriage of goods as set out in Article 1(5) of EUR 2009/1072;
  - (ii) national transport operations, pursuant to Chapter 3 of EUR 2009/1072, for the carriage of goods as set out in Article 1(5) of EUR 2009/1072, in accordance with sub-paragraph (4).

##### **(3) An EU vehicle—**

- (a) brought temporarily into Great Britain by a person who carries on a trade or business in a member State,
- (b) which has a maximum authorised speed not exceeding 40 kilometres per hour, and
- (c) used by the person for either or both—
  - (i) the international carriage of goods;
  - (ii) cabotage, in accordance with sub-paragraph (4).

(4) The EU vehicle is within the class of vehicle set out in sub-paragraph (1) or (2), in the case of the vehicle being used for national transport operations under sub-paragraph (1)(c)(ii) or (2)(b)(ii) or the class of vehicle set out in sub-paragraph (3), in the case of the vehicle being used for cabotage under sub-paragraph (3)(c)(ii), only if—

- (a) the person using the vehicle submits a posting declaration at or before the time the journey to which the use referred to in sub-paragraph (1)(c)(ii), (2)(b)(ii) or (3)(c)(ii) (as the case may be) relates commences, and
  - (b) the driver of the vehicle is carrying a copy of the posting declaration in electronic or paper form.
- (5) In this paragraph—
- “cabotage” means no more than two laden journeys between points in the United Kingdom, performed within seven days of the unloading of the goods carried on a journey from the European Union to the United Kingdom;
- “Community licence” has the meaning given in Article 2(8) of EUR 2009/1072;
- “EU Market Information System” means the Internal Market Information System mentioned in Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission [Decision 2008/49/EC](#)(38) as it has effect in EU law;
- “EU vehicle” means—
- (a) a motor vehicle registered in a member State, or
  - (b) a vehicle combination consisting of—
    - (i) a motor vehicle registered in a member State, and
    - (ii) a trailer;
- “EUR 2009/1072” means 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(39);
- “international carriage” has the meaning given by Article 2 of EUR 2009/1072;
- “posting declaration” means a declaration—
- (a) made using the EU Market Information System, and
  - (b) declaring—
    - (i) the identity of the person using the vehicle;
    - (ii) the contact details of an individual located in the member State in which the motor vehicle is registered who is able to correspond with the Secretary of State on behalf of the person using the vehicle;
    - (iii) the name, residential address and driving licence number of the driver of the vehicle on the journey for which the declaration is required;
    - (iv) the expected period during which the vehicle will be used for national transport operations;
    - (v) the registration plate of the motor vehicle;
    - (vi) if the person using the vehicle is not also the driver, the start date of, and the law applicable to, the driver’s contract of service with that person;
- “the person using the vehicle” is to be construed in accordance with section 58(2) of the 1995 Act.

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(38) OJ No. L 316, 14.11.2012, p. 1, amended by OJ No. L 354, 28.12.2013, p. 132, OJ No. L 159, 28.5.2014, pp. 1 and 11, OJ No. L 200, 26.7.2016, p. 1, OJ No. L 252, 16.9.2016, p. 53, OJ No. L 295, 21.11.2018, p. 1 and OJ No. L 249, 31.7.2020, pp. 17 and 49. The Internal Market Information System may be accessed via [https://ec.europa.eu/internal\\_market/imi-net/about/index\\_en.htm](https://ec.europa.eu/internal_market/imi-net/about/index_en.htm).

(39) EUR 2009/1072, amended by sections 23 and 24 of the European Union (Future Relationship) Act 2020 and [S.I. 2019/708, 2022/293](#) and [1260](#).

**Vehicles used by ECMT operators not established in the United Kingdom or the European Union**

- 68.—(1) A non-UK/EU ECMT vehicle—
- (a) brought temporarily into Great Britain by a non-UK/EU ECMT operator,
  - (b) used for the international carriage of goods,
  - (c) which is any of the following—
    - (i) a livestock vehicle;
    - (ii) a vehicle used for recovery;
    - (iii) a newly-acquired unladen vehicle being delivered to its final destination;
    - (iv) a vehicle with a maximum laden weight not exceeding 3.5 tonnes;
    - (v) a vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2), and
  - (d) in the case of a journey in Great Britain, used by the operator on a journey the origin and destination of which are ECMT countries.
- (2) The goods are—
- (a) a broken-down or damaged vehicle;
  - (b) goods carried on a non-commercial basis for—
    - (i) a cinematographic, circus, musical or theatrical performance;
    - (ii) an exhibition, but only if an artwork or art object for the exhibition;
    - (iii) a fair, fête or sports event;
    - (iv) a film, radio or television production;
  - (c) goods carried from or to an airport in support of an air service that has been diverted;
  - (d) goods carried on own account;
  - (e) medical supplies for use in the event of a natural disaster, emergency or other humanitarian need;
  - (f) postal packets;
  - (g) provisions, and spare parts, for an aircraft or ocean-going ship;
  - (h) the remains of a deceased individual.
- (3) This paragraph does not exempt the use of a non-UK/EU ECMT vehicle which is—
- (a) a Switzerland vehicle, within the meaning given by paragraph 59(2) which is a livestock vehicle;
  - (b) a Russia vehicle, within the meaning given by paragraph 57(4), which is—
    - (i) a livestock vehicle, or
    - (ii) a vehicle on a journey for the carriage only of one or more of the goods listed in sub-paragraph (2)(c), (d) and (h);
  - (c) a Belarus vehicle, within the meaning given by paragraph 44(5), or a Turkey vehicle, within the meaning given by paragraph 62(2), on a journey for the carriage only of goods carried on own account.
- (4) A non-UK/EU ECMT vehicle—
- (a) brought temporarily into Great Britain by a non-UK/EU ECMT operator,
  - (b) used by the operator for the international carriage of goods under a permit granting permission to carry out international removals in the form set out in Annex 2 of the

ECMT Multilateral Quota User Guide published in January 2022<sup>(40)</sup>, for use on journeys to, in or through ECMT countries, and

(c) on which the driver of the vehicle is carrying the permit.

(5) In this paragraph—

“ECMT country” means a country which is a party to the Protocol concerning the European Conference of Ministers of Transport done at Brussels on 17th October 1953<sup>(41)</sup>;

“non-UK/EU ECMT operator” means, in relation to a non-UK/EU ECMT vehicle, an operator who—

- (a) has an effective and stable establishment in the country in which the non-UK/EU ECMT vehicle is registered, and
- (b) is authorised under the law of the country in which the operator is established to use a goods vehicle on a road for the international carriage of goods;

“non-UK/EU ECMT vehicle” means a goods vehicle registered in an ECMT country other than the United Kingdom or a member State;

“operator”, in relation to a non-UK/EU ECMT vehicle, means—

- (a) the driver of the vehicle, if the vehicle belongs to the driver or is in the driver’s possession under an agreement for hire or hire-purchase, or a loan;
- (b) in any other case, the person whose employee or agent the driver is.

### **Vehicles used for the carriage of goods under an ECMT licence**

**69.**—(1) A motor vehicle or a vehicle combination—

- (a) used in Great Britain by an international operator for the international carriage of goods authorised under an ECMT licence, and
- (b) the driver of which carries a copy of the ECMT licence.

(2) In this paragraph—

“ECMT licence” means a licence for the carriage of goods in the United Kingdom allocated to an operator pursuant to the scheme for a multilateral quota established by Resolution No. 26 of the Council of Ministers of the European Conference of Ministers of Transport done at The Hague on 14th June 1973<sup>(42)</sup>.”.

### **Insertion of Schedule 3A (modifications to the 1995 Act and these Regulations for non-exempt vehicles brought temporarily into Great Britain)**

**8.** After Schedule 3 insert—

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<sup>(40)</sup> The ECMT Multilateral Quota User Guide is available at: <https://www.itf-oecd.org/user-guide-certificates>.

<sup>(41)</sup> Treaty Series No. 32 (1954); also known as the Protocol to co-ordinate and rationalise European Inland Transport of international importance.

<sup>(42)</sup> CM(73)5, as continued by CM(73)24. A copy is published at [www.itf-oecd.org/lacquis-cemtprincipal-acts-ecmt-1953-2003](http://www.itf-oecd.org/lacquis-cemtprincipal-acts-ecmt-1953-2003).

## “SCHEDULE 3A

Regulation 33A

Modification of the 1995 Act and these Regulations for certain international operators

## PART 1

## Modification of the 1995 Act

**Modifications to section 3 (“standard” and “restricted” licences)**

1. Section 3 of the 1995 Act has effect as if—
  - (a) for subsection (5) there were substituted—
 

“(5) An operator’s licence, whether a standard licence or a restricted licence, may not authorise a goods vehicle to be used on national transport operations.”;
  - (b) in subsection (7)—
    - (i) for “international” there were substituted “national”;
    - (ii) for “goods on national transport operations” there were substituted “goods on international transport operations”.

**Modifications to section 5 (vehicles authorised to be used under operator’s licence)**

2. Section 5 of the 1995 Act has effect as if—
  - (a) for subsection (1) there were substituted—
 

“(1) Subject to the following provisions of this section, the vehicles authorised to be used under an operator’s licence are—

    - (a) any motor vehicle—
      - (i) in the lawful possession of the licence-holder, and
      - (ii) specified in the licence;
    - (b) any trailer in the lawful possession of the licence-holder.”;
  - (b) in subsection (2)—
    - (i) in paragraph (a) for “no motor vehicle, or no trailer,” there were substituted “no trailer”;
    - (ii) after paragraph (a) there were inserted—
 

“(aa) that no trailer of a type specified in the licence is authorised to be used under it; or”;
    - (iii) at the end of paragraph (b) “; or” were omitted;
    - (iv) paragraph (c) were omitted;
  - (c) paragraphs (4) to (7) were omitted.

**Modifications to section 6 (maximum numbers of vehicles)**

3. Section 6 of the 1995 Act has effect as if—
  - (a) for subsections (1) to (4) there were substituted—
 

“(1) An operator’s licence that does not contain a provision referred to in section 5(2)
  - (b)—

- (a) must specify a maximum number for trailers, and
- (b) may specify a maximum number for trailers—
  - (i) whose relevant weight exceeds a weight specified in the licence;
  - (ii) of a type specified in the licence.”;
- (b) in subsection (5), for “(2)(a)” there were substituted “(1)(a)”;
- (c) in subsection (6)—
  - (i) for “(2)(b)” there were substituted “(1)(b)”;
  - (ii) after “specified weight” there were inserted “or for trailers of a specified type”;
- (d) in subsection (8), “(3), (4)(a) or (b),” were omitted.

**Cessation of section 7 (operating centres to be specified in heavy goods vehicle licences)**

4. Section 7 of the 1995 Act has no effect.

**Modifications to section 8 (applications for operators’ licences)**

5. Section 8 of the 1995 Act has effect as if—
- (a) for subsections (1A) to (3) there were substituted—
    - “(2) A person may not at any time hold more than one operator’s licence.
    - (3) A person applying for an operator’s licence must give to the traffic commissioner—
      - (a) a statement—
        - (i) containing such particulars as the commissioner may require of the motor vehicles proposed to be used under the licence, and
        - (ii) stating the number and type of any trailers proposed to be used under the licence; and
      - (b) details of any—
        - (i) notifiable conviction (within the meaning given in paragraph 4 of Schedule 2);
        - (ii) notifiable fixed penalty notice (within the meaning given in paragraph 7 of Schedule 2);
        - (iii) prohibition under section 69 or 70 of the Road Traffic Act 1988<sup>(43)</sup> in relation to a vehicle the person owned at the time the prohibition was imposed.”;
  - (b) in paragraph (4) the words from “and in particular” to the end, and the comma before those words, were omitted;
  - (c) paragraph (5) were omitted.

**Modifications to section 9 (convictions etc. subsequent to the making of an application)**

6. Section 9 of the 1995 Act has effect as if for subsections (1) to (3) there were substituted—

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(43) 1988 c. 52.

“(1) A person who makes an application for an operator’s licence must immediately notify the traffic commissioner if, in the interval between the making of the application and the date on which it is disposed of, there occurs—

- (a) a notifiable conviction (within the meaning given in paragraph 4 of Schedule 2);
  - (b) a notifiable fixed penalty notice (within the meaning given in paragraph 7 of Schedule 2);
  - (c) a prohibition under section 69 or 70 of the Road Traffic Act 1988 in relation to a vehicle the person owned at the time the prohibition was imposed;
  - (d) a change affecting any information given to the commissioner under section 8(4).
- (2) A person who knowingly fails to comply with subsection (1) is—
- (a) guilty of an offence, and
  - (b) liable on summary conviction to a fine not exceeding level 4 on the standard scale.”.

**Cessation of sections 10 and 11 (publication of notice of application for licence)**

7. Sections 10 and 11 of the 1995 Act have no effect.

**Cessation of sections 12 and 14 (objections to operators’ licences)**

8. Sections 12 and 14 of the 1995 Act have no effect.

**Substitution of section 13 (determination of applications for operators’ licences)**

9. The 1995 Act has effect as if for section 13 there were substituted—

**“Determination of applications for operators’ licences**

**13.** On an application for an operator’s licence a traffic commissioner must consider whether the applicant is a fit and proper person to hold an operator’s licence having had regard to any—

- (a) previous known conduct of the applicant in respect of the use and operation of motor vehicles, whether in the United Kingdom or elsewhere;
- (b) notifiable conviction, notifiable fixed penalty notice or prohibition required to be disclosed under section 8(3);
- (c) notifiable conviction, notifiable fixed penalty notice or prohibition required to be notified under section 9(1);
- (d) information given to the commissioner under section 8(4) and any change to that information notified under section 9(1).”.

**Cessation of sections 13A to 13D (requirements for operators’ licences)**

10. Sections 13A to 13D of the 1995 Act have no effect.

**Substitution of section 15 (issue of operators’ licences)**

11. The 1995 Act has effect as if for section 15 there were substituted—



**“Issue of operators’ licences**

**15.**—(1) A traffic commissioner may issue an operator’s licence in terms that differ from the terms applied for in any of the following respects—

- (a) more or fewer motor vehicles are specified in the licence;
  - (b) different motor vehicles are specified in it;
  - (c) it includes a provision such as is mentioned in section 5(2);
  - (d) it includes a provision such as is mentioned in section 6(1)(b);
  - (e) a higher or lower maximum number for trailers is specified in it under section 6(1).
- (2) A statement must appear on the face of every operator’s licence indicating—
- (a) whether it is a standard licence or a restricted licence, and
  - (b) that it covers international transport operations only.”.

**Modifications to section 16 (duration of operators’ licences)**

**12.** Section 16 of the 1995 Act has effect as if—

- (a) for subsection (2) there were substituted—

“(2) The holder of an operator’s licence may at any time terminate the licence by notifying a traffic commissioner of its termination.”;
- (b) subsections (3) and (4) were omitted.

**Substitution of section 17 (variation of operators’ licences)**

**13.** The 1995 Act has effect as if for section 17 there were substituted—

**“Variation of operators’ licences**

**17.**—(1) The holder of an operator’s licence may apply to a traffic commissioner for a licence to cease to specify a vehicle (“the replaced vehicle”) and to specify another similar vehicle (“the replacement vehicle”).

(2) A person applying for a variation under subsection (1) must give to the traffic commissioner such information, in such form, as the commissioner may reasonably require for disposing of the application.

(3) If the traffic commissioner grants the application, the commissioner must direct that the licence—

- (a) specify the replacement vehicle, and
- (b) cease specifying the replaced vehicle.”.

**Cessation of sections 18 to 20 (further provisions relating to variation of heavy goods vehicles licences)**

**14.** Sections 18, 19 and 20 of the 1995 Act have no effect.

**Cessation of sections 21 and 23 (conditions attached to heavy goods vehicle licences)**

**15.** Sections 21 and 23 of the 1995 Act have no effect.

**Substitution of section 22 (conditions attached to operators' licences as to matters required to be notified to traffic commissioner)**

16. The 1995 Act has effect as if for section 22 there were substituted—

**“Conditions as to matters required to be notified to traffic commissioner**

**22.—**(1) On issuing an operator's licence, a traffic commissioner may attach to the licence such conditions as the commissioner thinks fit for requiring the holder to inform a traffic commissioner of any event of a kind referred to in subsection (2), and to do so within 28 days of the event.

(2) The kind of event is one which is—

- (a) specified in the conditions which affect the licence-holder, and
- (b) relevant to the exercise of any powers of a traffic commissioner in relation to the licence.”.

**Cessation of sections 24 and 25 (interim operators' licences and interim variations)**

17. Sections 24 and 25 of the 1995 Act have no effect.

**Substitution of section 26 (revocation, suspension and curtailment of operators' licences)**

18. The 1995 Act has effect as if for section 26 there were substituted—

**“Revocation, suspension and curtailment of operators' licences**

**26.—**(1) A traffic commissioner may, subject to section 29, direct that an operator's licence be revoked, suspended or curtailed on the grounds that—

- (a) the licence-holder has contravened any condition attached to the licence;
- (b) during the five years ending with the date on which the direction is given there has been—
  - (i) a conviction of the licence-holder of one or more notifiable convictions (within the meaning of paragraph 4 of Schedule 2),
  - (ii) a notifiable fixed penalty notice (within the meaning given in paragraph 7 of Schedule 2), or
  - (iii) a prohibition under section 69 or 70 of the Road Traffic Act 1988 in relation to a vehicle which the licence-holder owned at the time the prohibition was imposed;
- (c) since the licence was issued or varied the commissioner has learned that—
  - (i) a statement of fact of the licence-holder made for the purposes of an application for the licence or an application for the variation of the licence was false, or
  - (ii) a statement of expectation of the licence-holder made for those purposes has not been fulfilled.

(2) In this Act references to directing that an operator's licence be curtailed are references to directing, with effect for the remainder of the duration of the licence or for any shorter period—

- (a) that one or more of the vehicles specified in the licence be removed from it;

(b) that a provision such as is mentioned in section 5(2) or 6(1) or (2)(b) be included in the licence.

(3) Where a direction suspending or curtailing a licence has been given under subsection (1), a traffic commissioner may at any time—

(a) cancel the direction, or

(b) with the consent of the licence-holder, vary the direction.

(4) Where an operator's licence is suspended under this section, the licence remains in force during the time of its suspension subject to the limitation that no vehicles are authorised to be used under it.”.

#### **Cessation of section 27 (revocation of standard licences)**

19. Section 27 of the 1995 Act has no effect.

#### **Modifications to section 28 (disqualification)**

20.—(1) Section 28 of the 1995 Act has effect as if—

(a) for subsection (1) there were substituted—

“(1) If under section 26(1) a traffic commissioner directs that an operator's licence be revoked, the commissioner may order the person who was the holder of the licence to be disqualified from holding or obtaining an operator's licence—

(a) indefinitely, or

(b) for such period as the commissioner thinks fit.”;

(b) subsection (3) were omitted.

#### **Modifications to section 29 (revocation and disqualification etc: supplementary provisions)**

21. Section 29 of the 1995 Act has effect as if—

(a) in subsection (1)—

(i) for paragraph (a) there were substituted—

“(a) give a direction under section 26(1) in respect of any licence, or”;

(ii) paragraph (b) were omitted;

(b) in subsection (2)—

(i) for paragraph (a) there were substituted—

“(a) section 26(1), or”;

(ii) paragraph (b) were omitted.

#### **Cessation of sections 30 to 34 (provisions relating to operating centres)**

22. Sections 30 to 34 of the 1995 Act have no effect.

#### **Modification to section 37 (rights of appeal in connection with operator's licences)**

23. Section 37 of the 1995 Act has effect as if—

(a) in subsection (2) for “section 5(9), 26(1) or (2), 27(1), 31 or 32” there were substituted “section 5(9) or 26(1)”;

(b) subsection (3) were omitted.

**Cessation of section 40 (inspection of maintenance facilities)**

24. Section 40 of the 1995 Act has no effect.

**Cessation of sections 44 and 49 (miscellaneous provisions)**

25. Sections 44 and 49 of the 1995 Act have no effect.

**Modification to section 51 (time for bringing proceedings)**

26. Section 51 of the 1995 Act has effect as if for “9(3)(a) or (b)” there were substituted “9(2)”.

## PART 2

### Modification of these Regulations

**Modifications to Part 2 (applications)**

27.—(1) Regulation 4 (manner of making applications) has effect as if for paragraph (c) there were substituted—

“(c) if made for the issue of a licence, state whether it relates to a standard licence or a restricted licence.”.

(2) Regulation 7 (notice of applications) has no effect.

(3) Regulation 9 (inspection of applications) has effect as if paragraphs (1) and (3) were omitted and the heading is to be read as “Inspection of licences”.

**Cessation of Part 3 (objections and representations)**

28. Part 3 has no effect.

**Cessation of Part 4 (operating centres)**

29. Part 4 has no effect.

**Modifications to Part 6 (applications and decisions)**

30.—(1) Regulation 21 (statement to be issued by the traffic commissioner) has effect as if for paragraph (1) there were substituted—

“(1) A traffic commissioner must publish as occasion may require a statement known as “Applications and Decisions”.

(1A) The statement must contain, unless previously notified—

(a) any direction given under section 26 to revoke, suspend or curtail a licence;

(b) in relation to inquiries—

(i) the dates on which, and the places at which, the inquiries are proposed to be held, and

(ii) decisions on applications.”.

(2) Regulation 22 has effect as if—

- (a) in paragraph (1)—
  - (i) in the words before sub-paragraph (a) for “Articles 6.2(a) and” there were substituted “Article”;
  - (ii) sub-paragraphs (b) and (c) were omitted;
- (b) paragraph (2)(b) were omitted;
- (c) paragraph (3) were omitted.

#### **Modifications to Part 7 (other matters)**

- 31.**—(1) Regulation 23 (identification of motor vehicles) has effect as if—
- (a) for paragraph (2) there were substituted—
    - “(2) The disc shall clearly indicate, by colour or other means—
      - (a) whether a vehicle is being used under a standard licence or under a restricted licence,
      - (b) that the vehicle may not be used for national transport operations, and
      - (c) the date on which the disc expires.”;
    - (b) paragraphs (5) and (6) were omitted.
  - (2) Regulation 26 (production of licence for examination) has effect as if for paragraph (1) there were substituted—
    - “(1) If requested by an officer or a police constable, the holder of an operator’s licence must produce the licence for inspection at a place specified by the officer or police constable.”.
  - (3) Regulation 28 (return of licences and discs) has effect as if—
    - (a) paragraphs (2) and (5) were omitted;
    - (b) in paragraph (3) “, or if a traffic commissioner has given a direction in respect of a licence under section 26(2),” were omitted.
  - (4) Regulation 29 (partnerships) has effect as if paragraphs (1), (3), (4), (5), (7) and (12) were omitted.
  - (5) Regulation 30 (holding companies and subsidiaries) has effect as if—
    - (a) in sub-paragraph (1)(b) for “section 17(1)(a)” there were substituted “section 17(3)(a)”;
    - (b) in sub-paragraph (2) for “section 17(1)(b)” there were substituted “section 17(3)(b)”;
    - (c) sub-paragraph (5) were omitted.
  - (6) Regulation 31 (continuance of licence on death, bankruptcy etc) has no effect.
  - (7) Regulation 32 (offences) has effect as if “, 28(2)” were omitted.
  - (8) Regulation 33 (classes of vehicle for which a licence is not required) has effect as if, in paragraph (2), for the words “on a plate affixed to the vehicle by virtue of regulation 66 of those Regulations” there were substituted “in accordance with the law of the country in which the international operator has an effective and stable establishment”.

#### **Modification to Schedule 2**

- 32.** Paragraph 2 of Schedule 2 has effect as if—
- (a) sub-paragraphs (h), (i), (j) and (l) were omitted;
  - (b) in sub-paragraph (k) for “(a), (b), (d), (e), (g) and (h)” there were substituted “(a) and (c)”;

(c) for sub-paragraph (m) there were substituted—

“(m) in section 26(1)(b) the references to the licence-holder included references to the subsidiary, and as if the reference in sub-paragraph (iii) to a vehicle which the licence holder owned included a reference to a vehicle which the subsidiary owned.”.”.