

*This Statutory Instrument has been made in consequence of a drafting error in S.I. 2022/**** and is being issued free of charge to all known recipients of that Statutory Instrument.*

STATUTORY INSTRUMENTS

2022 No. 0000

ROAD TRAFFIC

TRADE

**The Goods Vehicles (Licensing of Operators) (Amendment)
(No. 2) Regulations 2022**

<i>Sift requirements satisfied</i>	***
<i>Made</i> - - - -	***
<i>Laid before Parliament</i>	***
<i>Coming into force</i> - -	***

The Secretary of State for Transport makes these Regulations in exercise of the powers conferred by section 31(1) of the European Union (Future Relationship) Act 2020(a).

The requirements of paragraph 8(2) of Schedule 5 to the European Union (Future Relationship) Act 2020 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1. These Regulations—

- (a) may be cited as the Goods Vehicles (Licensing of Operators) (Amendment) (No. 2) Regulations 2022, and
- (b) come into force at 11.59 p.m. on the day on which they are made.

Amendment of the Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022

2. The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022(b) are amended in accordance with regulations 3 to 5.

Substitution of regulation 7 (amendment of Article 4 of EUR 2009/1071)

3. For regulation 7 substitute—

(a) 2020 c. 29.
(b) S.I. 2022/****.

“Amendment of Article 4 (transport manager)

7.—(1) In Article 4(1), in the words before sub-paragraph (a), after “occupation of road” insert “passenger”.

(2) In Article 4(2), in the words before sub-paragraph (a)—

- (a) after “If an undertaking” insert “which engages in the occupation of road passenger transport operator”; and
- (b) omit “of road transport operator”.

(3) After Article 4(3) insert—

“(3A) An undertaking which engages in the occupation of road haulage operator shall designate at least one natural person, the transport manager, who satisfies the requirements set out in Article 3(1)(b) and (d) and who—

- (a) if the undertaking is established in Great Britain, satisfies the requirements set out in paragraph 14A(1) and (2), or (1) and (3), of Schedule 3 to the 1995 Act(a); or
- (b) if the undertaking is established in Northern Ireland, satisfies the requirements set out in any regulations made for the purposes of section 12A(3)(a)(ii) or (b) of the 2010 Act(b).”.

Amendment of regulation 56 (transitional provisions for the Goods Vehicles (Licensing of Operators) Act 1995)

4. In regulation 56, in the text of paragraph 10 to be inserted in Schedule 6 to the Goods Vehicles (Licensing of Operators) Act 1995(c), in sub-paragraphs (a) and (b) of that paragraph, for “Article 4(1)(a)” substitute “Article 4(3A)(a)”.

Amendment of regulation 102 (transitional provisions for the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010)

5. In regulation 102, in the text of Schedule 5 to be inserted in the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010(d), in paragraph 3(a) and (b) of that Schedule, for “Article 4(1)(b)” substitute “Article 4(3A)(b)”.

Signed by authority of the Secretary of State for Transport

Date

Name
Title
Department for Transport

(a) S.I. 2022/**** inserts paragraph 14A of Schedule 3 to the Goods Vehicles (Licensing of Operators) Act 1995 (c. 23).
(b) S.I. 2022/**** substitutes section 12A(3)(a) and (b) of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 (c. 2 (N.I.)).
(c) 1995 c. 23.
(d) 2010 c. 2.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations correct a drafting error in the Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/****) (“the principal Regulations”) before those Regulations come into force.

Regulation 3 substitutes regulation 7 of the principal Regulations. The substituted regulation provides for the continuing 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. 27 (N.I.)), which both:

- relate to passenger vehicles (and not goods vehicles); and
- refer to Article 4 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).

Regulations 4 and 5 make consequential amendments.

These Regulations are being issued free of charge to all known recipients of the principal Regulations.

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.