



Application to invoke Regulation 31

About this form

You should complete this form if any of the following circumstances have occurred and you wish to carry on the trade or business of the holder of a goods vehicle operator's licence:

- a) the death of the holder of a licence
- b) the holder of a licence becoming a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to carry on the activities covered by the licence, or in Scotland a curator bonis being appointed in respect of him on the ground that he is incapable, by reason of mental disorder, of adequately managing his property and affairs
- c) the bankruptcy of the holder of a licence
- d) in the case of a company, the holder of a licence going into liquidation or an administration order being made
- e) the appointment of a receiver or manager of the trade or business

In certain circumstances the traffic commissioner can direct that a person carrying on the trade or business of the licence holder can be treated as if they were that licence holder and can also decide the period the licence can continue. The traffic commissioner can allow:

- 18 months if it appears that there are special circumstances
- 12 months in any other case

Alternatively, if the transport operations are to be discontinued, you should apply on the [Vehicle Operator Licensing system](#) to surrender the licence.

Please refer to the Senior Traffic Commissioner's Statutory Document on [Legal Entities](#) for further information.

Filling in the form

- Use black ink and ensure that the form is completed in full.
- You are advised to ensure that you have access to any relevant documentation, including any partnership deed or agreement.
- If the application relates to a company that has gone into liquidation or an administration then the form must either be completed and signed by the liquidator, administrator or receiver, or be accompanied by written authority for someone else to correspond. **A former director does not have authority to make this application.**

To be completed by the person nominated to take over the operator's licence

1. Licence number(s)

2. The name of the 'actual holder' of the licence

3. Give the full name(s) of the person(s) to be nominated to operate this licence under Regulation 31

a. Trading name, if any

b. Address for correspondence including postcode

c. Telephone number /mobile number /fax number / email address

4. What, if any, is your connection with the business which is the subject of this application?

5. Please specify why Regulation 31 authority is being sought:

a. Is it because of the death of the holder of the licence?

Yes No

If **yes**, please provide the date of death below

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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b. Is it because the holder of a licence has become a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to carry on the activities covered by the licence, or in Scotland a curator bonis being appointed in respect of him/her on the ground that he/she is incapable, by reason of mental disorder, of adequately managing his/her property and affairs?

Yes No

c. Is it because the holder of the licence has been declared bankrupt?

Yes No

d. Is it because the company holding of the licence has gone into liquidation or an order for administration has been made?

Yes No

e. Is it because a receiver has been appointed to manage the trade or business of the actual holder of the licence?

Yes No

6. Please provide further details of the circumstances which have led to this application being made:

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7. Do you hold a current operator's licence in this or any other traffic area(s) or have you previously held a licence?

Yes No

If **yes**, please provide all licence number(s):

8. Have you ever had an application for an operator's licence refused or an operator's licence revoked in this or any other traffic area?

Yes

No

If **yes**, please state which traffic area(s):

9. Has the person proposing to carry on the trade or business received any convictions which would be notifiable to the traffic commissioner?

Yes

No

If **yes**, please provide further details below:

Name of person / company convicted

Name of court

Date of conviction

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Offence and penalty given

10. During the last 3 years:

a. Have you been made bankrupt?

Yes

No

b. Are you bankrupt now?

Yes

No

c. Have you been involved in a company that has gone into receivership / liquidation owing money?

Yes

No

d. Have you been disqualified from acting as director of a company or from taking part in the management of a company?

Yes

No

If you have answered yes to any questions above please provide full details including dates and circumstances.

11. DECLARATION:

This declaration must be made by the person who wishes to carry on the trade or business of the actual licence holder.

I declare that the statements made in this application are true. I understand that the licence may be revoked if I do not comply with the undertakings made below and that it is an offence to make a false statement.

I undertake to make proper arrangements so that:

- the rules on drivers' hours and tachographs are observed and proper records kept
- vehicles and trailers are not overloaded vehicles
- will operate within speed limits
- vehicles and trailers, including hired vehicle and trailers, are kept fit and serviceable
- drivers report promptly any defect or symptoms of defects that could prevent the safe operation of vehicles and/or trailers, and that any defects are promptly recorded in writing
- records are kept for (15 months) of all drivers defect reports, safety inspections, routine maintenance and repairs to vehicles and trailers, and these are made available on request

I will:

- have adequate financial resources to maintain the vehicles and trailers covered by the licence
- abide by any conditions which may be imposed on by the licence
- maintain adequate financial resources for the administration of the business **(standard licence applicants/holders only)**.

I understand that failure to comply with the conditions or undertakings recorded on a licence can result in regulatory action being taken against the licence holder and that failure to comply with conditions is a criminal offence.

Signed

Date

Name in CAPITALS

(DECLARATION CONTINUED)

Where a company holding the licence has gone into liquidation or administration then the following declaration must be signed and completed by the liquidator, administrator or receiver;

I confirm the following:

- I have read and am aware of the contents of the above form
- I make this application in order that the above person can continue to operate under the existing operator's licence for a period to be specified by the traffic commissioner but understand that I will retain ultimate responsibility for compliance with operator licence requirements

Signed

Date

Name in CAPITALS

Position

! Data protection

The Traffic Commissioners' fair processing notice tells you what you can expect when a traffic commissioner of Great Britain (the data controller) collects your data. A traffic commissioner will use your personal information as part of their work as the competent authority for assessing access to the occupation of road transport operators. You can access the fair processing notice here: <https://www.gov.uk/government/publications/traffic-commissioners-for-great-britain-privacy-notice>. Alternatively you may request a paper copy by telephoning 0300 123 9000.

Note: it is a criminal offence to give false information in this application.

Application to invoke Regulation 31

What you need to do

- Read the guidance notes; 'about this form' before completing the form
- Make sure you've signed it
- Make sure you put any supporting documents in the envelope with your completed form
- The Application to invoke Regulation 31 should be posted to:
Office of the Traffic Commissioner
The Central Licensing Office
Quarry House
Quarry Hill
Leeds
LS2 7UE
- The Office of the Traffic Commissioner will consider your application

! You don't need to print this page or post it to us.
