STATUTORY RULES OF NORTHERN IRELAND

2012 No. 256

ROAD TRAFFIC AND VEHICLES

The Goods Vehicles (Licensing of Operators) (Exemption) Regulations (Northern Ireland) 2012

Laid before the Assembly in draft

Made - - - - 28th June 2012

Coming into operation 1st July 2012

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 1(2)(d) and (3)(b) of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010(**1**).

In accordance with section 57(11) of that Act the Department has consulted such representative organisations as it thinks fit.

Citation and Commencement

1. These Regulations may be cited as the Goods Vehicles (Licensing of Operators) (Exemption) Regulations (Northern Ireland) 2012 and shall come into operation on 1st July 2012.

Interpretation

2. In these Regulations—

"the 1995 Act" means the Goods Vehicles (Licensing of Operators) Act 1995(**2**);

"the 2010 Act" means the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010;

"own account operator" means an operator who uses a goods vehicle on a road for the carriage of goods for or in connection with any trade or business carried on by the holder of the licence, other than that of carrying goods for hire or reward; and

"relevant plated weight" means the gross weight not to be exceeded of a loaded vehicle as defined in regulation 79 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**3**).

(**1**) 2010 c. 2 (N.I.)
(**2**) 1995 c.23
(**3**) S.R. 1999 No.454

Small goods vehicle

3.—(1) For the purposes of section 1(2)(a) of the 2010 Act a goods vehicle is a small goods vehicle if it forms part of a vehicle combination and complies with the conditions set out in paragraph (2)(a) or (b).

(2) The conditions referred to in paragraph (1) are that-

(a) the vehicle and combination of vehicles used for hire and reward has a relevant plated weight up to and including 3.5 tonnes and complies with Regulation (EC) No.1071/2009(**4**); or

(b) the vehicle and combination of vehicles used by an own account operator includes a towing vehicle that has a relevant plated weight which is no more than 3.5 tonnes.

(3) Paragraph (2) applies in spite of Article 1(4)(c) of Regulation (EC) No.1071/2009 (exemption for slow vehicles unless otherwise provided in national law).

Exemption from requirement to hold an Operator's Licence

4. The provisions of section 1(1) of the 2010 Act shall not apply to the use of vehicles of any class as set out in the Schedule.

Sealed with the Official Seal of the Department of the Environment on 28th June 2012

L.S.

Iain Greenway
A senior officer of the
Department of the Environment

(**4**) O.J. No.L300, 14.11.09, p.51