Changes to Legislation: as of 13 October 2026, this Act is up to date with all changes known to be in force.

Number 8 *of* 1933

ROAD TRANSPORT ACT 1933

REVISED

Updated to 28 May 2019

This Revised Act is an administrative consolidation of the *Road Transport Act 1933*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Greyhound Racing Act 2019* (15/2019), enacted 28 May 2019, and all statutory instruments up to and including *European Communities (Sheep Identification) (Amendment) Regulations 2019* (S.I. No. 243 of 2019), made 28 May 2019, were considered in the preparation of this Revised Act.

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REVISED

Updated to 28 May 2019

AN ACT TO MAKE FURTHER AND BETTER PROVISION FOR THE REGULATION AND CONTROL OF THE CARRIAGE OF PASSENGERS, MERCHANDISE, AND MAILS BY ROAD. [12*th June,* 1933.]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

Annotations

Modifications (not altering text):

C1 Application of Act restricted (21.09.2011) by *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011), regs. 1(3), 42(22), sch. 2.

42.— ...

(22) Notwithstanding any provision of any statute listed in the Second Schedule that provides for the consent for a plan or project to which this Regulation applies to be obtained by default on the failure of the public authority to provide a response within a specified timescale or otherwise, that provision shall not have effect in respect of any plan or project to which this Regulation applies.

...

SECOND SCHEDULE

Number	Year	Short Title/Citation
...	...	...
8	1933	Road Transport Act, 1933
...	...	...

C2 Application of Act restricted (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 3, S.I. No. 264 of 1999.

Restricted road freight licences.

3.—(1) Notwithstanding anything in the Principal Act or the Road Transport Act, 1935, the Minister may grant, in respect of a vehicle which complies with the conditions specified in section 7(1) of the Road Transport Act, 1935 (as amended by section 29 of the Transport Act, 1958), a licence (which shall be known and is in this Act referred to as a "restricted road freight licence") to a person authorising the person to import the vehicle and to use it for the purposes of merchandise road transport in the State, subject to any conditions which the Minister may see fit to impose and specifies in the licence.

...

C3 Application of Act extended (30.09.2005) by *Road Transport Act 1999* (15/1999), s. 8, S.I. No. 611 of 2005.

Application of provisions relating to transport discs and vehicle plates.

8.— Except where the contrary intention appears, the provisions of the Principal Act that apply in respect of—

(a) a vehicle plate, shall apply with any necessary modifications, in respect of a transport disc, and

(b) a transport disc, shall apply with any necessary modifications, in respect of a vehicle plate.

C4 Application of Act extended (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 1(2), S.I. No. 240 of 1986.

Interpretation.

1.— ...

(2) For the purposes of the Principal Act, as amended by this Act, a national road freight carrier's licence and an international road freight carrier's licence shall each be deemed to be a merchandise licence under that Act.

C5 Application of Act restricted (23.12.1986) by *Road Transport Act 1986* (16/1986), s. 11, S.I. No. 454 of 1986; section prospectively repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

Death or incapacity of holder of carrier's licence.

11.—(1) Where—

(a) the holder of a carrier's licence dies or becomes physically or legally incapable of carrying on or managing the business to which the licence relates,

(b) the Minister is duly notified in writing of the death or incapacity,

(c) the holder has, or is survived by, a relative, and

(d) the Minister is satisfied that the relative has, prior to the death or incapacity of the holder, had not less than three years' experience in the day to day conduct of the business to which the licence relates, and complies with the requirement as to good repute referred to or specified in regulations made under the European Communities Act, 1972,

the Minister may, notwithstanding anything in the Principal Act (as amended), on an application (in such form as he may direct either generally or in each case) being made in that behalf grant to the relative of the holder a carrier's licence subject to such conditions as may be specified in the licence and thereupon the licence held by the holder who has died or become incapacitated shall stand cancelled.

C6 Application of Act extended (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 16, S.I. No. 240 of 1986, as amended (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 14(2) and (3), S.I. No.264 of 1999.

Powers of transport officers

16.—(1) A transport officer shall for the purposes of—

(*a*) ... the Road Transport Act, 1933, ...

have power to do any or all of the following things—

(i) at any time enter a premises or place if he has reasonable grounds for believing that it is used for a purpose connected with road transport**[**, including the engagement or use by a person in the premises or place of the services of an undertaking for the carriage by road for reward of merchandise in a vehicle**]** (in this section referred to as "road transport operations") or that a vehicle used for that purpose is at the premises or in the place and inspect the vehicle and any documents, records, books

or recording equipment kept or used in that vehicle, premises or place, as the case may be, for the purposes of road transport operations,

(ii) at any time inspect a vehicle which is stationary and inspect any documents, records, books, goods or recording equipment being carried in or on the vehicle or by the crew kept or used for the purposes of road transport operations,

(iii) require any person at the premises or in the place or in the vehicle to produce to him any document, book or record kept or used for the purposes of road transport operations which is in the power or control of that person,

(iv) inspect, examine and take copies of or extracts from or take away, if necessary for the purposes of inspection or examination, any document, book or record kept or used for the purposes of road transport operations and require the person by whom such document, book or record is kept or who produced the document, book or record to certify a copy thereof as a true copy.

(2) For the purpose of exercising his powers under subsection (1) of this section, a transport officer may detain a vehicle during such time as is required for the exercise of those powers.

(3) A person who obstructs or interferes with a transport officer when he is exercising a power conferred on him by this section or who fails to comply with a request or requirement of a transport officer under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £500.

[(4) A transport officer shall not, other than with the consent of the occupier, enter such part of a premises used as a private dwelling unless he has obtained a warrant from the District Court under section 16A of this Act authorising such entry.

(5) Where a transport officer in exercise of his powers under this section is prevented from entering any premises or place an application may be made under section 16A of this Act for a warrant authorising such entry.**]**

C7 Enforcement of Act extended (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 17, S.I. No. 240 of 1986, as amended (1.08.2008) by *Dublin Transport Authority Act 2008* (15/2008), s. 117(1)(b), S.I. No. 291 of 2008.

Prosecution of offences by Minister.

17.— **[**The Road Safety Authority may bring**]** and prosecute summary proceedings for an offence under—

(a) ... the Road Transport Act, 1933 ...

...

C8 Application of Act extended (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 3(3), S.I. No. 166 of 1971.

Amendment of section 14 of Principal Act, and consequential provisions relating to merchandise licences.

3.— ...

(3) Every licence granted by virtue of subsection (2) of this section shall be deemed to have been granted in pursuance of the application under the Principal Act for the licence in substitution for which the first-mentioned licence is granted.

C9 Application of Act modified (1.06.1950) by *Transport Act 1950* (12/1950), s. 23(5), effectively commenced on the establishment day set out in s. 2(1).

Transfer to the Board of undetakings of dissolved undertakers.

23.— ...

(5) (a) On the establishment date, every licence to which this subsection applies and which was immediately before the establishment date held by either dissolved undertaker shall, by virtue of this Act, be transferred to the Board and shall, on and after the establishment

date, have effect as if the name of the Board were substituted therein for that of such dissolved undertaker.

...

C10 Term "lorry" further defined (18.05.1934) by *Road Transport Act 1934* (17/1934), s. 3, commenced on enactment.

"Lorry"

3.—A mechanically propelled vehicle shall be deemed to be a lorry within the meaning of the Principal Act, where the following conditions are complied with, that is to say:—

(a) such vehicle is constructed and designed for the carriage of passengers;

(b) such vehicle has sitting accommodation for not more than six passengers (excluding the driver);

(c) such vehicle is for the time being used for the carriage of newspapers for reward.

Editorial Notes:

E1 Provision made for payments in respect of offences alleged to have been committed under Act (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 13, S.I. No. 240 of 1986.

E2 Power pursuant to Act exercised (31.12.1935) by *The Railway Tribunal (Additional) Rules 1935* (S.I. No. 659 of 1935).

E3 Previous affecting provision: application of Act restricted (30.09.1986) by *Road Transport Act 1971* (8/1971), s. 8(1), as substituted by *Road Transport Act 1986* (16/1986), s. 8, S.I. No. 313 of 1986; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

E4 Previous affecting provision: application of Act restricted (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 6(4), commenced on enactment; repealed (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 19(f), S.I. No. 240 of 1986.

E5 Previous affecting provision: application of Act extended (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 7, commenced on enactment; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

E6 Previous affecting provision: application of Act affected in relation to licence granted to Wexford Steamships Company Limited (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 7, S.I. No. 166 of 1971; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

E7 Previous affecting provision: application of Act restricted (8.12.1944) by *Transport Act 1944* (21/1944), s. 115, commenced on enactment; repealed (30.09.1988) by *Road Transport Act 1986* (16/1986), s. 19(c), S.I. No. 313 of 1986.

E8 Previous affecting provision: application of Act restricted (8.12.1944) by *Transport Act 1944* (21/1944), s. 116, commenced on enactment; repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 9 and sch., S.I. No. 166 fo 1971.

E9 Previous affecting provision: application of Act restricted (20.06.1935) by *Road Transport Act 1935* (23/1935), s. 2, commenced on enactment; repealed (8.12.1944) by *Transport Act 1944* (21/1944), s.5 and sch. 1, commenced on enactment.

E10 Previous affecting provision: term "standard lorry weight" varied (20.06.1935) by *Road Transport Act 1935* (23/1935), s. 3, commenced on enactment; repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch. 1, commenced on enactment.

E11 Previous affecting provision: application of Act restricted (18.05.1934) by *Road Transport Act 1934* (17/1934), s. 2, commenced on enactment; repealed (20.06.1935) by Road Transport Act 1935 (23/1935), s. 2(2), commenced on enactment.

PART I.

Preliminary and General.

Short title.

1.—This Act may be cited as the Road Transport Act, 1933.

Definitions.

2.—In this Act—

the expression "the Minister" means the Minister for Industry and Commerce;

the expression "the Act of 1932" means the Road Transport Act, 1932 (No. 2 of 1932);

the expression "mails" includes mail bags and postal packets (other than telegrams) as defined in the Post Office Act, 1908;

the expression "merchandise" includes goods, wares, minerals and animals, but does not include passenger's luggage or mails;

the expression "mechanically propelled vehicle" does not include a railway engine or a tramcar or other vehicle running on permanent rails;

F1**[**...**]**

the expression "merchandise road transport" means the carriage for reward by road in mechanically propelled vehicles or in vehicles drawn by mechanically propelled vehicles of merchandise and includes, so far as they are carried on by means of such vehicles, the services of collection and delivery of merchandise hitherto carried on by railway, canal, and shipping companies, as ancillary or subsidiary to their main undertakings, or by agents on behalf of such companies, but does not include—

(*a*) the carriage of merchandise by passenger road services licensed under the Act of 1932, or

(*b*) the carriage of mails by or under contract with F2**[**An Post**]**, or

(*c*) the carriage of merchandise by means of any vehicle primarily provided for the carriage of mails where and to the extent to which the carriage of merchandise by means of such vehicle is permitted under the contract made with F2**[**An Post**]**;

the expression "authorised (merchandise carrying) company" means a company to which Part III of the Act of 1932 applies and which is entitled by virtue of section 28 of the Act of 1932 to engage in or carry on the business of carrying merchandise by road.

the expression "authorised (passenger carrying) company" means a company to which Part III of the Act of 1932 applies and which is entitled by virtue of section 28 of the Act of 1932 to engage in or carry on the business of carrying passengers by road;

the expression "shipping company" means a person carrying on a regular steamer service to or from a port in Saorstát Eireann;

the expression "vehicle plate" means a plate of that name issued under Part II of this Act;

the word "lorry" means a mechanically propelled vehicle fitted with a body designed and constructed for the carriage of merchandise;

the word "tractor" means a mechanically propelled vehicle which—

(*a*) is not a lorry, and

(*b*) is constructed and designed for the traction of another vehicle;

the expression "the registration book" in relation to a mechanically propelled vehicle means the registration book for such vehicle issued under the Roads Act, 1920 F3**[**or a copy of the registration particulars of such vehicle issued by the authority by which such vehicle was licensed under the Roads Act, 1920**]**;

the expression "passenger road service" has the same meaning as in the Act of 1932, as amended by this Act;

the expressions "passenger licence" and "annual passenger licence" have the same meanings respectively as in the Act of 1932;

the expression "unladen weight" in relation to a mechanically propelled vehicle means the unladen weight specified in the registration book which relates to such vehicle;

the word "prescribed" means prescribed by regulations made by the Minister under this Act.

Annotations

Amendments:

F1 Repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch. 1, commenced on enactment.

F2 Substituted (13.07.1983) by *Postal and Telecommunications Services Act 1983* (24/1983), s. 8 and sch. 4, pt. 1, commenced on enactment.

F3 Inserted (18.05.1934) *Road Transport Act 1934* (17/1934), s. 4, commenced on enactment.

Existing carriers.

3.—F4**[**...**]**

Annotations

Amendments:

F4 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch. 1, S.I. No. 683 of 2005.

Editorial Notes:

E12 Previous affecting provision: section amended (18.05.1934) *Road Transport Act 1934* (17/1934), s. 5, commenced on enactment; repealed as per F-note above.

E13 Previous affecting provision: application of section restricted (18.05.1934) *Road Transport Act* 1934 (17/1934), s. 6, commenced on enactment; repealed as per F-note above.

E14 Previous affecting provision: section amended (13.10.1933) *Road Transport (No. 2) Act 1933* (39/1933), s. 1, commenced on enactment; repealed as per F-note above.

Presumption of carriage of merchandise for reward.

4.—F5**[**...**]**

Annotations

Amendments:

F5 Repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch. 1, commenced on enactment.

The appointed day.

5.—(1) The Minister may after consultation with the Minister for Justice, by order appoint a day not less than three months after the passing of this Act to be the appointed day for the purposes of this Act.

(2) In this Act the expression "the appointed day" means the day appointed by the Minister by order under this section.

Annotations

Modifications (not altering text):

C11 All orders made under subs. (1) prior to 18 May 1934 declared void (18.05.1934) by *Road Transport Act 1934* (17/1934), s. 7, commenced on enactment.

Avoidance of order under section 5 of Principal Act.

7.—Any order made before the passing of this Act under sub-section (1) of section 5 of the Principal Act is hereby declared to be and shall be deemed always to have been void and of no effect, and accordingly an order may be made under the said sub-section (1) at any time after the passing of this Act.

Editorial Notes:

E15 Power pursuant to section exercised (1.07.1934) by *The Road Transport Act 1933 (Appointed Day) Order 1934* (S.I. No. 140 of 1934).

E16 Previous affecting provision: power pursuant to section exercised (1.02.1934) by *The Road Transport Act, 1933 (Appointed Day) Order 1933* (S.I. No. 126 of 1933); declared void as per C-note above.

Regulations.

6.—The Minister may by order make regulations for all or any of the following purposes, that is to say:—

(*a*) prescribing any thing which is in this Act referred to as prescribed or as prescribed by regulations made by the Minister;

(*b*) prescribing any thing which the Minister is by this Act authorised to prescribe by regulations made under this Act.

Annotations

Editorial Notes:

E17 Power pursuant to section exercised (24.03.1995) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1995* (S.I. No. 66 of 1995).

E18 Power pursuant to section exercised (1.06.1994) by *Road Transport Acts (Vehicle Plate Application Form) Regulations 1994* (S.I. No. 142 of 1994).

E19 Power pursuant to section exercised (18.09.1986) by *Road Transport Act, 1933 (Part II) (Amendment) Regulations 1986* (S.I. No. 315 of 1986).

E20 Power pursuant to section exercised (3.08.1977) by *Road Transport Acts (Fees) Regulations 1977* (S.I. No. 256 of 1977).

E21 Power pursuant to section exercised (31.05.1971) by *Road Transport Act, 1971 (Fees) Regulations 1971* (S.I. No. 183 of 1971).

E22 Power pursuant to section exercised (7.01.1952) by *Road Transport Act, 1933 (Part II) Regulations 1952* (S.I. No. 8 of 1952).

E23 Power pursuant to section exercised (9.07.1934) by *The Road Transport Act, 1933 (Section 29) Regulations Order 1934* (S.I. No. 173 of 1934).

E24 Previous affecting provision: power pursuant to section exercised (1.06.1994) by *Road Transport Acts (Fees) Regulations 1994* (S.I. No. 141 of 1994); revoked (30.09.2013) by *Road Transport Operator Licensing (Fees) Regulations 2013* (S.I. No. 310 of 2013).

E25 Previous affecting provision: power pursuant to section exercised (21.03.1991) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1991* (S.I. No. 61 of 1991); revoked (24.03.1995) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1995* (S.I. No. 66 of 1995).

E26 Previous affecting provision: power pursuant to section exercised (23.08.1988) by *Road Transport (Merchandise Licence Application Form) Regulations 1988* (S.I. No. 211 of 1988); revoked (21.03.1991) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1991* (S.I. No. 61 of 1991).

E27 Previous affecting provision: power pursuant to section exercised (4.08.1988) by *Road Transport Acts (Fees) Regulations 1988* (S.I. No. 193 of 1988); revoked (1.06.1994) by *Road Transport Acts (Fees) Regulations 1994* (S.I. No. 141 of 1994).

E28 Previous affecting provision: power pursuant to section exercised (17.09.1986) by *Road Transport Acts (Fees) Regulations 1986* (S.I. No. 312 of 1986); revoked (4.08.1988) by *Road Transport Acts (Fees) Regulations, 1988* (S.I. No. 193 of 1988).

E29 Previous affecting provision: power pursuant to section exercised (2.09.1986) by *Road Transport Act, 1986 (Merchandise Licence Application Form) Regulations 1986* (S.I. No. 302 of 1986); revoked (23.08.1988) by *Road Transport (Merchandise Licence Application Form) Regulations 1988* (S.I. No. 211 of 1988).

E30 Previous affecting provision: power pursuant to section exercised (20.08.1982) by *Road Transport Acts (Fees) Regulations 1982* (S.I. No. 277 of 1982); revoked (17.09.1986) by *Road Transport Acts (Fees) Regulations 1986* (S.I. No. 312 of 1986).

E31 Previous affecting provision: power pursuant to section exercised (25.04.1955) by *Road Transport Act, 1933, Regulations 1955* (S.I. No. 69 of 1955); revoked (1.06.1994) by *Road Transport Acts (Fees) Regulations 1994* (S.I. No. 141 of 1994).

E32 Previous affecting provision: power pursuant to section exercised (29.11.1937) by *The Road Transport Act, 1933 (Part II) Regulations Order, 1933 (Amendment) Order 1937* (S.I. No. 316 of 1937); revoked (25.04. 1955) by *Road Transport Act, 1933, Regulations, 1955* (S.I. No. 69 of 1955).

E33 Previous affecting provision: power pursuant to section exercised (27.10.1933) by *The Road Transport Act 1933, (Part II) Regulations Order 1933* (S.I. No. 120 of 1933); revoked (25.04. 1955) by *Road Transport Act, 1933, Regulations, 1955* (S.I. No. 69 of 1955).

E34 Previous affecting provision: power pursuant to section exercised (13.10.1933) by *The Road Transport Act, 1933, (Part V) Regulations Order 1933* (S.I. No. 119 of 1933); revoked (25.04. 1955) by *Road Transport Act, 1933, Regulations, 1955* (S.I. No. 69 of 1955).

Expenses.

7.—(1) All expenses incurred by the Minister or the Gárda Síochána in carrying this Act into execution shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

(2) All fees received by the Minister or a Chief Superintendent of the Gárda Síochána under this Act shall be collected and accounted for in such manner as shall be prescribed by the Minister with the sanction of the Minister for Finance.

Annotations

Modifications (not altering text):

C12 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial*

Functions) Order 2011 (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 8 of 1933	Road Transport Act 1933	Sections 7(1) and (2) and 27
...	...	...

Editorial Notes:

E35 Previous affecting provision: power pursuant to section exercised (1.06.1994) by *Road Transport Acts (Fees) Regulations 1994* (S.I. No. 141 of 1994); revoked (30.09.2013) by *Road Transport Operator Licensing (Fees) Regulations 2013* (S.I. No. 310 of 2013).

PART II.

REGULATION OF MERCHANDISE ROAD TRANSPORT BUSINESSES.

Exempted areas. **8.**—F6**[**...**]**

Annotations

Amendments:

F6 Repealed (30.09.1986) by *Road Transport Act 1986* (16/1986), s. 19, S.I. No. 313 of 1986.

Editorial Notes:

E36 Previous affecting provision: application of section previously ceased by *Road Transport Act 1978* (8/1978), s. 6(2), subject to operative date order. No such order was made.

E37 Previous affecting provision: subs. (1) amended (1.07.1945) by *Transport Act 1944* (21/1944), s. 113, commenced as per s. 113(2).

Prohibition of carrying on merchandise road transport business by unlicensed persons.

F7**[9.**—(1) (*a*) Subject to paragraph (*b*) of this subsection and to subsection (5) of this section, it shall not be lawful on or after the appointed day for any person in the course of a merchandise road transport business carried on by him to carry merchandise in any area in the State unless the person is the holder of a licence (in this Act referred to as a merchandise licence) granted under this Act authorising him to carry on a merchandise road transport business in that area and the business is carried on under and in accordance with the licence.

(*b*) Notwithstanding paragraph (*a*) of this subsection and section 124 of the Transport Act, 1944, the holder of a merchandise licence may carry on a merchandise road transport business when carrying commodities the carriage of which is not subject to any statutory restriction or limitation under this section, whether or not a vehicle plate is on issue to him in respect of the vehicle in which they are carried.

F8**[**(2) (*a*) Every person who carries merchandise in contravention of this section shall be guilty of an offence under this section and shall be liable—

(i) on summary conviction to a fine not exceeding £1,000, or

(ii) on conviction on indictment to a fine not exceeding £5,000.**]**

(*b*) Section 1 (1) of the Probation of Offenders Act, 1907, shall not apply to a second or subsequent offence under this section.

(*c*) Section 28 of the Transport Act, 1958, is hereby repealed.

(3) A certificate purporting to be signed by an officer of the Minister and to certify that on a specified day or days or during the whole of a specified period a specified person was not the holder of a merchandise licence authorising him to carry on a merchandise road transport business shall, without proof of the signature of the person purporting to sign the certificate or that he was an officer of the Minister, be evidence until the contrary is proved of the matters purported to be certified in and by the certificate.

(4) Where a person is proved to have carried merchandise by way of merchandise road transport, the person shall for the purposes of this section be deemed until the contrary is proved to have so carried the merchandise in the course of a merchandise road transport business carried on by him.

(5) The restrictions on the carriage of merchandise imposed by this section shall not apply—

(*a*) where the carriage is in a vehicle or a combination of vehicles (including a trailer or a semi-trailer) which does not exceed 2.5 metric tons unladen weight or which has a permissible maximum total laden weight of not more than 6 metric tons,

(*b*) to the carriage of cattle, sheep or pigs,

(*c*) in the period in each year beginning on the 1st day of August and ending on the 30th day of November, to the carriage of newly harvested wheat, oats or barley from a farm to a place of storage, assembly or processing.

(6) For the purposes of subsection (5) (*a*) of this section, 2.5 metric tons unladen weight shall be deemed to be equivalent to 6 metric tons permissible maximum total laden weight.**]**

Annotations

Amendments:

F7 Substituted (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 2, commenced on enactment.

F8 Substituted (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 14, S.I. No. 240 of 1986.

F9 Repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch. 1, not commenced as of date of revision.

Modifications (not altering text):

C13 Prospective affecting provision: section repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch. 1, not commenced as of date of revision.

9.—F9**[**...**]**

C14 Application of section restricted (7.03.1974) by *European Communities (Road Transport) Regulations 1974* (S.I. No. 57 of 1974), reg. 4.

4. Sections 9 and 34 of the Road Transport Act, 1933 (No. 8 of 1933), shall not apply to the holder of a Community authorisation when he is engaged in merchandise road transport authorised by the authorisation.

C15 Application of section restricted (16.07.1958) by *Transport Act 1958* (19/1958), s. 27, commenced on enactment; repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

Carriage of livestock for neighbouring farmers.

27.—(1) Notwithstanding section 9 of the Road Transport Act, 1933 , a person whose only or chief occupation is farming may, without being the holder of a merchandise licence, carry for reward in a vehicle drawn by an agricultural tractor owned by him, and in respect of which a duty of excise at the rate specified in subparagraph (c) of paragraph 4 of Part I of the Schedule to the Finance (Excise Duties) (Vehicles) Act, 1952 , is chargeable, livestock owned by a person resident not more than two miles from the carrier's residence if the livestock are being carried to or from a farm from or to a livestock auction mart or a place where a market or fair, specified by order made by the Minister under this section, is held, on the day on which such auction, market or fair takes place and they are not being carried in either direction on any part of a public road which is more than twenty miles by public road from the carrier's residence.

(2) The Minister may, by order, specify markets and fairs for the purposes of this section.

(3) The Minister may, by order, revoke or amend an order under this section.

C16 Minister empowered to order non-application of section (15.11.1955) by *Transport (Miscellaneous Provisions) Act 1955* (21/1955), s. 2, commenced on enactment, as amended (29.07.1958) by *Agricultural Produce (Cereals) (Amendment) Act 1958* (24/1958), s.23, commenced on enactment; repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

Carriage of milk and of wheat.

"creamery" means premises registered in the Register of Creameries kept under the Dairy Produce Act, 1924 (No. 58 of 1924);

"cream separating station" means premises registered in the Register of Cream Separating Stations kept under that Act.

(2) Section 9 of the Road Transport Act, 1933 (No. 8 of 1933), (which restricts the carriage of merchandise by unlicensed persons) shall not apply to any one or more of the following—

(a) the carriage of milk to a creamery or a cream separating station,

(b) the carriage of separated milk from a creamery or cream separating station,

(c) the carriage of milk containers to or from a creamery or cream separating station.

(3) The Minister may by order provide that, during a specified period, the said section 9 shall not apply to the carriage of wheat by a person authorised by law to act during a particular season as the agent of the licensee of a mill licensed under section 21 of the Agricultural Produce (Cereals) Act, 1933 (No. 7 of 1933), where the wheat was purchased by the agent for the licensee **[**or for An Bord Gráin**]** and is carried in a vehicle owned by the agent.

(4) The Minister may by order revoke an order under subsection (3).

C17 Minister empowered to order non-application of section (15.11.1955) by *Transport (Miscellaneous Provisions) Act 1955* (21/1955), s. 3, commenced on enactment.

Maintenance of essential supplies.

3.—(1) The Government, if it appears to them to be necessary to do so in the interests of the public safety or the preservation of the State, or for maintaining supplies and services essential to the life of the community, may by order provide that, during a specified period, section 9 of the Road Transport Act, 1933 (which restricts the carriage of merchandise by unlicensed persons), shall not apply to the carriage of a commodity specified in the order.

(2) The Government may by order revoke an order under subsection (1).

C18 Application of section restricted (31.08.1946) by *Turf (Suspension of application of section (1) of the Road Transport Act, 1933) Order 1946* (S.I. No. 267 of 1946), reg. 2.

2. Subsection (1) of section 9 (which prohibits the carrying on of merchandise road transport business by unlicensed persons) of the Road Transport Act, 1933 (No. 8 of 1933), in so far as the said subsection applies to the carriage, in the course of a merchandise road transport business, of turf, shall cease to be in force as on and from the 31st day of August, 1946.

C19 Minister empowered to suspend subs. (1) (1.06.1946) by *Turf Development Act 1946* (10/1946), s. 71, commenced on enactment.

Suspension of operation of subsection (1) of section 9 of the Road Transport Act, 1933 in relation to the carriage of turf by road

71.—(1) At any time while the suspendable provisions are, whether by virtue of an order made under subsection (2) of this section or otherwise, in force, the Minister may by order (in this section referred to as a suspending order) declare that the suspendable provisions shall cease to be in force, in relation to the carriage of turf by road, as on and from such date as the Minister thinks fit and specifies in the order.

(2) At any time while the suspendable provisions are, by virtue of a suspending order, not in force, the Minister may, by order (in this section referred to as a reviving order), declare that the suspendable provisions shall again come into force, in relation to the carriage of turf by road, as on and from such date (not being earlier than one month after the date on which the reviving order is made) as the Minister thinks fit and specifies in the order.

(3) Whenever and so often as the Minister makes a suspending order, the following provisions shall have effect:—

(a) subject to the operation of a reviving order, the suspendable provisions shall cease to be in force, in relation to the carriage of turf by road, as on and from the date specified in that behalf in the suspending order;

(b) subsections (1) and (2) of section 21 of the Interpretation Act, 1937 (No. 38 of 1937), shall apply to and have effect in relation to such cesser as if such cesser were a repeal by an Act of the Oireachtas passed on the day on which such cesser takes effect and the suspendable provisions were repealed by such Act of the Oireachtas as on and from that day.

(4) Whenever and so often as the Minister makes a reviving order the suspendable provisions shall, as on and from the date specified in that behalf in such reviving order again come into force in relation to the carriage of turf by road, and shall, subject to the operation of a subsequent suspending order, continue in force.

(5) In this section the expression "the suspendable provisions" means subsection (1) of section 9 of the Road Transport Act, 1933 (No. 8 of 1933).

C20 Further exemptions from application of this section are too numerous to list in detail. They are listed below.

- Application of section restricted (16.02.1996) by *Road Transport Act, 1978 (Section 5) Order 1996* (S.I. No. 53 of 1996).
- Application of section restricted (4.04.1995) by *Road Transport Act, 1978 (Section 5) Order 1995* (S.I. No. 84 of 1995).
- Application of section restricted (11.03.1994) by *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994).
- Application of section restricted (13.07.1992) by *Road Transport Act, 1978 (Section 5) Order 1992* (S.I. No. 191 of 1992).
- Application of section restricted (24.07.1991) by *Road Transport Act, 1978 (Section 5) Order 1991* (S.I. No. 201 of 1991).
- Application of section restricted (5.07.1990) by *Road Transport Act, 1978 (Section 5) Order 1990* (S.I. No. 180 of 1990).
- Application of section restricted (16.05.1989) by *Road Transport Act, 1978 (Section 5) Order 1989* (S.I. No. 144 of 1989).
- Application of section restricted (2.11.1983) by *Road Transport Act, 1978 (Section 5) (No. 2) Order 1983* (S.I. No. 332 of 1983), reg. 2.
- Application of section restricted (2.11.1983) by *Road Transport Act, 1978 (Section 5) Order 1983* (S.I. No. 331 of 1983), reg. 2.
- Application of section restricted (9.08.1982) by *Road Transport Act, 1978 (Section 5) (No. 4) Order 1982* (S.I. No. 269 of 1982), reg. 2.
- Application of section restricted (9.08.1982) by *Road Transport Act, 1978 (Section 5) (No. 3) Order 1982* (S.I. No. 268 of 1982), reg. 2.
- Application of section restricted (9.08.1982) by *Road Transport Act, 1978 (Section 5) (No. 2) Order 1982* (S.I. No. 267 of 1982), reg. 2.
- Application of section affected (8.03.1982) by *Road Transport Act, 1978 (Section 5) Order 1982* (S.I. No. 41 of 1982), reg. 2.
- Application of section restricted (1.08.1980) by *European Communities (International Carriage of Goods by Road) Regulations 1980* (S.I. No. 253 of 1980), reg. 5.
- Application of section restricted (29.05.1980) by *Road Transport Act, 1978 (Section 5) Order 1980* (S.I. No. 160 of 1980), reg. 2.

Editorial Notes:

E38 Previous affecting provision: application of section restricted (1.06.1994) by *European Communities (International Carriage of Goods by Road) Regulations 1994* (S.I. No. 140 of 1994); revoked (4.12.2011) by *European Union (International Road Haulage Market) Regulations 2011* (S.I. No. 698 of 2011), reg. 8(a).

E39 Previous affecting provision: application of section restricted (29.06.1979) by *European Communities (Combined Road/Rail Carriage of Goods Between Member States) Regulations 1979* (S.I. No. 227 of 1979), reg. 5; revoked (11.03.1994) by *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994).

E40 Previous affecting provision: power to order exemptions to section provided (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 5, commenced on enactment; substituted and removed (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 10(1)(a), S.I. No. 264 of 1999, subject to transitional provision in subs. (2).

E41 Previous affecting provision: application of section restricted (1.10.1975) by *European Communities (International Carriage of Goods by Road and Rail) Regulations 1975* (S.I. No. 225 of 1975), reg. 5; revoked (11.03.1994) by *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994).

E42 Previous affecting provision: application of section restricted (22.08.1972 to 31.01.1973) by *Carriage of Wheat Order 1972* (S.I. No. 204 of 1972), reg. 2.

E43 Previous affecting provision: application of section restricted (3.08.1971 to 31.08.1972) by *Carriage of Wheat Order 1971* (S.I. No. 222 of 1971), reg. 2.

E44 Previous affecting provision: subss. (1) and (3) substituted and amended (21.05.1971) by *Road Transport Act 1971* (8/1971), ss. 2, 9 and sch. 1, S.I. No. 166 of 1971; substituted as per F-note above.

E45 Previous affecting provision: application of section restricted (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 8(3), S.I. No. 166 of 1971; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

E46 Previous affecting provision: application of section restricted (19.08.1970 to 31.08.1971) by *Carriage of Wheat Order 1970* (S.I. No. 188 of 1970), reg. 2.

E47 Previous affecting provision: application of section restricted (19.08.1969 to 31.08.1970) by *Carriage of Wheat Order 1969* (S.I. No. 163 of 1969), reg. 2.

E48 Previous affecting provision: application of section restricted (19.08.1968 to to 31.08.1969) by *Carriage of Wheat Order 1968* (S.I. No. 174 of 1968), reg. 2.

E49 Previous affecting provision: application of section restricted (1.08.1967 to 31.08.1968) by *Carriage of Wheat Order 1967* (S.I. No. 187 of 1967), reg. 2.

E50 Previous affecting provision: application of section restricted (1.08.1966 to 31.08.1967) by *Carriage of Wheat Order 1966* (S.I. No. 184 of 1966), reg. 2.

E51 Previous affecting provision: application of section restricted (1.08.1965 to 31.08.1966) by *Carriage of Wheat Order 1965* (S.I. No. 164 of 1965), reg. 2.

E52 Previous affecting provision: application of section restricted (23.06.1965 to 29.06.1965) by *Carriage of Commodities Order 1965* (S.I. No. 132 of 1965), reg. 2.

E53 Previous affecting provision: application of section restricted (7.08.1964 to 31.08.1965) by *Carriage of Wheat Order 1964* (S.I. No. 201 of 1964), reg. 2.

E54 Previous affecting provision: application of section restricted (12.08.1963 to 31.08.1964) by *Carriage of Wheat Order 1963* (S.I. No. 154 of 1963), reg. 2.

E55 Previous affecting provision: application of section restricted (1.08.1962 to 31.08.1963) by *Carriage of Wheat Order 1962* (S.I. No. 140 of 1962), reg. 2.

E56 Previous affecting provision: application of section restricted (1.08.1961 to 31.08.1962) by *Carriage of Wheat Order 1961* (S.I. No. 162 of 1961), reg. 2.

E57 Previous affecting provision: application of section restricted (1.09.1960 to 31.08.1961) by *Carriage of Wheat Order 1960* (S.I. No. 172 of 1960), reg. 2.

E58 Previous affecting provision: application of section restricted (1.09.1959 to 31.08.1960) by *Carriage of Wheat Order 1959* (S.I. No. 149 of 1959), reg. 2.

E59 Previous affecting provision: application of section restricted (1.09.1958 to 31.08.1959) by *Carriage of Wheat Order 1958* (S.I. No. 180 of 1958), reg. 2.

E60 Previous affecting provision: enforcement of section provided (16.07.1958) by *Transport Act 1958* (19/1958), s. 28, commenced on enactment; repealed by s. 9(2)(c) as substituted (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 2, commenced on enactment.

E61 Previous affecting provision: application of section restricted (1.09.1957 to 31.08.1958) by *Carriage of Wheat Order 1957* (S.I. No. 160 of 1957), reg. 2.

E62 Previous affecting provision: application of section restricted (1.09.1956 to 31.08.1957) by *Carriage of Wheat (No. 2) Order 1956* (S.I. No. 234 of 1956), reg. 2.

E63 Previous affecting provision: application of section restricted (1.04.1956 to 31.08.1956) by *Carriage of Wheat Order 1956* (S.I. No. 84 of 1956), reg. 2.

E64 Previous affecting provision: application of section restricted (1.09.1955 to to 31.03.1956) by *Carriage of Wheat Order 1955* (S.I. No. 168 of 1955), reg. 2.

E65 Previous affecting provision: section amended (8.12.1944) by *Transport Act 1944* (21/1944), s. 117, commenced on enactment; substituted as per F-note above.

E66 Previous affecting provision: section amended (18.05.1934) by *Road Transport Act 1934* (17/1934), s. 9, commenced on enactment; substituted as per F-note above.

Vehicle plate issuing stations.

10.—F10**[**...**]**

Annotations

Amendments:

F10 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E67 Power pursuant to section exercised (1.05.1986) by *Road Transport (Vehicle Plate Issuing Stations) Order 1986* (S.I. No. 106 of 1986).

E68 Power pursuant to section exercised (30.12.1933) *The Road Transport (Vehicle Plate Issuing Stations) (Amendment) Order 1933* (S.I. No. 180 of 1933).

E69 Power pursuant to section exercised (19.10.1933) *The Road Transport (Vehicle Plate Issuing Stations) Order 1933* (S.I. No. 125 of 1933).

Applications for merchandise licences.

11.—F11**[**...**]**

Annotations

Amendments:

F11 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E70 Power pursuant to section exercised (24.03.1995) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1995* (S.I. No. 66 of 1995).

E71 Previous affecting provision: conditions for compliance with requirements of subs. 1(c) provided (21.03.1991) by *European Communities (Merchandise Road Transport) Regulation 1991* (S.I. No. 60 of 1991).

E72 Previous affecting provision: power pursuant to section exercised (21.03.1991) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1991* (S.I. No. 61 of 1991), revoked (24.03.1995) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1995* (S.I. No. 66 of 1995).

E73 Previous affecting provision: power pursuant to section exercised (23.08.1988) by *Road Transport (Merchandise Licence Application Form) Regulations 1988* (S.I. No. 211 of 1988), revoked (21.03.1991) by *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1991* (S.I. No. 61 of 1991).

E74 Previous affecting provision: conditions for compliance with requirements of subs. 1(a) provided (30.09.1988) by *European Communities (Merchandise and Road Transport) Regulations 1988* (S.I. No. 180 of 1988), reg. 4.

E75

E76 Previous affecting provision: application of section extended (30.09.1986) by *Road Transport Act 1986* (16/1986), s. 3(4), S.I. No. 313 of 1986.

E77 Previous affecting provision: subs. (1) substituted (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 2, S.I. No. 240 of 1986.

E78 Previous affecting provision: application of subss. (4) to (6) confirmed (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 6(5)(b), commenced on enactment.

E79 Previous affecting provision: application of section extended (21.05.1971) by *Road Transport Act 1971 (8/1971),* s. 3(2), S.I. No. 166 of 1971.

E80 Previous affecting provision: application of section extended (8.12.1944) by *Transport Act 1944* (21/1944), s. 114(3)(d), commenced on enactment.

Grant of merchandise licences.

12.—F12**[**...**]**

Annotations

Amendments:

F12 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E81 Previous affecting provision: subs. (4) repealed (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 19, S.I. No. 240 of 1986.

E82 Previous affecting provision: application of subs. (5) restricted (8.12.1944) by *Transport Act 1944* (21/1944), 114(1), commenced on enactment.

E83 Previous affecting provision: subs. (4) amended (18.05.1934) *Road Transport Act 1934* (17/1934), s. 10, commenced on enactment.

Standard lorry weights and tractor weights for existing carrier.

13.—F13**[**...**]**

Annotations

Amendments:

F13 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E84 Previous affecting provision: power to amend section inserted (22.12.1959) by *Transport (No. 2) Act 1959* (40/1959), s. 1(2), commenced on enactment.

Operation of merchandise licences.

14.—F14**[...]**

Annotations

Amendments:

F14 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E85 Previous affecting provision: section substituted (30.09.1986 and 30.09.1988) by *Road Transport Act 1986* (16/1986), s. 4, S.I. No. 313 of 1986.

E86 Previous affecting provision: section substituted (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 3, commenced on enactment.

E87 Previous affecting provision: subs. (1) amended (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 3(1), S.I. No. 166 of 1971.

E88 Previous affecting provision: subs. (1) and (4) restricted (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 3(5), S.I. No. 166 of 1971.

E89 Previous affecting provision: subs. (3) repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 4, S.I. No. 166 of 1971.

E90 Previous affecting provision: subs. (3) repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 9 and sch., S.I. No. 166 of 1971.

Obligation of licensees to accept merchandise for carriage.

15.—F15**[...]**

Annotations

Amendments:

F15 Repealed (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 19, S.I. No. 240 of 1986.

Prohibition of undue preference by licensees.

16.—F16**[...]**

Annotations

Amendments:

F16 Repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch. 1, commenced on enactment.

Conditions of merchandise licences.

17.—Whenever the Minister grants a merchandise licence he may attach to such licence such conditions as he shall think proper and shall specify in such licence and in particular and without prejudice to the generality of the foregoing power, conditions in respect of all or any of the following matters, that is to say:—

(a) the wages and conditions of employment of employees engaged in the operation of the vehicles used for the purposes of the licensees business of merchandise road transport;

(b) the notification to and approval by the Minister of agreements or arrangements made in relation to such business by the licensee with other persons engaged in the transport of merchandise by rail, road, air, or water;

(c) the use, either exclusively or to a specified extent, of vehicles manufactured in whole or in part in Saorstát Eireann, and the maintenance thereof.

Annotations

Amendments:

F17 Repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

Modifications (not altering text):

C21 Prospective affecting provision: section repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

17.—F17**[**...**]**

Amendment of conditions of a merchandise licence during its currency.

18.—(1) The Minister may on his own motion during the currency of a merchandise licence amend (whether by addition, omission or variation) in such manner as he thinks fit the conditions attached to such licence.

(2) Whenever the Minister proposes to amend, in exercise of the power conferred on him by the immediately preceding sub-section, the conditions attached to a merchandise licence he shall cause a notice to be served on the licensee specifying the amended conditions which are to attach to such licence and upon service of such notice the said amended conditions shall attach to such licence.

Commencement and duration of merchandise licences.

19.—F18**[**...**]**

Annotations

Amendments:

F18 Repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 9 and sch., S.I. No. 166 of 1971, subject to transitional provisions in s. 5.

Editorial Notes:

E91 Previous affecting provision: transitional provisions provided (18.05.1934) *Road Transport Act 1934* (17/1934), s. 8, commenced on enactment.

Application for renewal of merchandise licences.

20.—F19**[**...**]**

Annotations

Amendments:

F19 Repealed (30.09.1988) by *Road Transport Act 1986* (16/1986), s. 19, S.I. No. 313 of 1986.

Grants of renewals of merchandise licences.

21.—F20**[**...**]**

Annotations

Amendments:

F20 Repealed (30.09.1988) by *Road Transport Act 1986* (16/1986), s. 19, S.I. No. 313 of 1986.

Duration of renewals of merchandise licences.

22.—F21**[**...**]**

Annotations

Amendments:

F21 Repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 9 and sch., S.I. No. 166 of 1971, subject to transitional provisions in s. 5.

Expiry of licence held by a shipping company.

23.—F22**[**...**]**

Annotations

Amendments:

F22 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Revocation of merchandise licences.

24.—(1) The Minister may at any time revoke a merchandise licence upon the application of the licensee thereunder.

F23**[**(2) The Minister may at any time on his own motion and at his discretion revoke or suspend for such period as he shall think proper a merchandise licence—

(a) on the ground that, in his opinion, there has been a breach of or a failure to observe or comply with a condition attached to the licence,

(b) on the ground that the holder has been convicted of an offence (whether under this or any other Act) in relation to the business to which the licence relates or a vehicle used in such business,

(c) if the holder ceases to comply with any relevant requirement specified or referred to in regulations under the European Communities Act, 1972, or

(d) on the ground that, in his opinion, there has been a failure to comply with a relevant provision of this Act or of regulations made thereunder.**]**

(3) The Minister may at any time on his own motion and at his absolute discretion revoke a merchandise licence if he is satisfied that such licence was obtained by fraud or misrepresentation.

Annotations

Amendments:

F23 Substituted (30.09.1986) by *Road Transport Act 1986* (16/1986), s. 5, S.I. No. 313 of 1986.

F24 Repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

Modifications (not altering text):

C22 Section repealed by *Road Transport Act 1999* (15/1999), s. 23 and sch., not commenced as of date of revision.

24.—F24**[**...**]**

Transfer of merchandise licences.

25.—F25**[**...**]**

Annotations

Amendments:

F25 Repealed (30.09.1988) by *Road Transport Act 1986* (16/1986), s. 19, S.I. No. 313 of 1986.

Editorial Notes:

E92 Previous affecting provision: application of section restricted (19.12.1977) by *European Communities (Merchandise Road Transport) Regulations 1977* (S.I. No. 386 of 1977), reg. 17.

Death of licensee under merchandise licence.

26.—F26**[**...**]**

Annotations

Amendments:

F26 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E93 Previous affecting provision: section declared to have no effect (19.12.1977) by *European Communities (Merchandise Road Transport) Regulations 1977* (S.I. No. 386 of 1977), reg. 17.

Fees on the grant, etc., of merchandise licences.

27.—(1) There shall be paid to the Minister on every application under this Part of this Act for the grant, renewal, or transfer of a merchandise licence a fee of such amount as may be prescribed by regulations made by the Minister with the consent of the Minister for Finance, and the payment of such fee (which shall be retained whether the application is or is not granted) shall be a condition precedent to the consideration of such application.

(2) Different fees may be prescribed in respect of grants, renewals and transfers respectively of merchandise licences, and such fees may be of a fixed amount or of an amount calculated by reference to a scale graduated according to the number of mechanically propelled vehicles used by the licensee or the total unladen weights of such vehicles or otherwise.

Annotations

Modifications (not altering text):

C23 Functions in relation to section transferred (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3 and sch. 1.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3.—The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

...

are transferred to the Minister for Public Expenditure and Reform.

...

Schedule 1

Number and Year	Short Title	Provision
...	...	...
No. 8 of 1933	Road Transport Act 1933	s. 7(1) and (2) and 27
...	...	...

Editorial Notes:

E94 Previous affecting provision: power pursuant to section exercised (1.06.1994) by *Road Transport Acts (Fees) Regulations 1994* (S.I. No. 141 of 1994); revoked (30.09.2013) by *Road Transport Operator Licensing (Fees) Regulations 2013* (S.I. No. 310 of 2013.

Accounts and returns by licensees under merchandise licences.

28.—F27**[...]**

Annotations

Amendments:

F27 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Registers to be kept by the Minister.

29.—F28**[...]**

Annotations

Amendments:

F28 Repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 9 and sch., S.I. No. 166 of 1971.

Issue of vehicle plates.

30.—F29**[...]**

Annotations

Amendments:

F29 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E95 Power pursuant to section exercised (18.09.1986) by *Road Transport Act, 1933 (Part II) (Amendment) Regulations 1986* (S.I. No. 315 of 1986).

E96 Previous affecting provision: subs. (7) substituted (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 7(2), commenced on enactment.

E97 Previous affecting provision: application of section modified under certain conditions (29.11.1937) by *The Road Transport Act, 1933 (Part II) Regulations Order, 1933 (Amendment) Order 1937* (S.I. No. 316 of 1937), reg. 4; revoked (25.04.1955) by *Road Transport Act, 1933, Regulations, 1955* (S.I. No. 69 of 1955).

E98 Previous affecting provision: provision for different fees under section made (18.05.1934) by *Road Transport Act 1934* (17/1934), s. 12, commenced on enactment.

Restriction on issue of vehicle plates.

31.—(1) F30**[...]**

(2) F30**[...]**

(3) F31**[...]**

Annotations

Amendments:

F30 Repealed (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 9 and sch., S.I. No. 166 of 1971.

F31 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Delivery of vehicle plates in certain cases to Gárda Síochána.

32.—F32**[...]**

Annotations

Amendments:

F32 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E99 Previous affecting provision: subs. (2) substituted (14.07.1986) by *Road Transport Act 1986* (/1986), s. 14(2), S.I. No. 240 of 1986.

Fraudulent use of vehicle plates.

33.— F33**[**...**]**

Annotations

Amendments:

F33 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E100 Previous affecting provision: section substituted (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 14(3), S.I. No. 240 of 1986.

Obligation to carry vehicle plate on vehicles carrying merchandise.

34.—F34**[**...**]**

Annotations

Amendments:

F34 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch. 1, S.I. No. 683 of 2005.

Editorial Notes:

E101 Power pursuant to section exercised (18.09.1986) by *Road Transport Act, 1933 (Part II) (Amendment) Regulations 1986* (S.I. No. 315 of 1986).

E102 Previous affecting provision: application of section restricted (16.02.1996) by *Road Transport Act. 1978 (Section 5) Order 1996* (S.I. No. 53 of 1996).

E103 Previous affecting provision: application of section restricted (4.04.1995) by *Road Transport Act. 1978 (Section 5) Order 1995* (S.I. No. 84 of 1995).

E104 Previous affecting provision: application of section restricted (1.06.1994) by *European Communities (International Carriage of Goods by Road) Regulations 1994* (S.I. No. 140 of 1994); revoked (4.12.2011) by *European Union (International Road Haulage Market) Regulations 2011* (S.I. No. 698 of 2011), reg. 8(a).

E105 Previous affecting provision: application of section restricted (11.03.1994) by *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994).

E106 Previous affecting provision: application of section restricted (13.07.1992) by *Road Transport Act, 1978 (Section 5) Order 1992* (S.I. No. 191 of 1992).

E107 Previous affecting provision: application of section restricted (24.07.1991) by *Road Transport Act, 1978 (Section 5) Order 1991* (S.I. No. 201 of 1991).

E108 Previous affecting provision: application of section restricted (5.07.1990) by *Road Transport Act, 1978 (Section 5) Order 1990* (S.I. No. 180 of 1990).

E109 Previous affecting provision: application of section restricted (16.05.1989) by *Road Transport Act, 1978 (Section 5) Order 1989* (S.I. No. 144 of 1989).

E110 Previous affecting provision: subs. (2) substituted (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 14(4), S.I. No. 240 of 1986.

E111 Previous affecting provision: application of section restricted (2.11.1983) by *Road Transport Act, 1978 (Section 5) (No. 2) Order 1983* (S.I. No. 332 of 1983), reg. 2.

E112 Previous affecting provision: application of section restricted (2.11.1983) by *Road Transport Act, 1978 (Section 5) Order 1983* (S.I. No. 331 of 1983), reg. 2.

E113 Previous affecting provision: application of section restricted (9.08.1982) by *Road Transport Act, 1978 (Section 5) (No. 4) Order 1982* (S.I. No. 269 of 1982), reg. 2.

E114 Previous affecting provision: application of section restricted (9.08.1982) by *Road Transport Act, 1978 (Section 5) (No. 3) Order 1982* (S.I. No. 268 of 1982), reg. 2.

E115 Previous affecting provision: application of section restricted (9.08.1982) by *Road Transport Act, 1978 (Section 5) (No. 2) Order 1982* (S.I. No. 267 of 1982), reg. 2.

E116 Previous affecting provision: application of section restricted (8.03.1982) by *Road Transport Act, 1978 (Section 5) Order 1982,* (S.I. No. 41 of 1982), reg. 2.

E117 Previous affecting provision: application of section restricted (1.08.1980) by *European Communities (International Carriage of Goods by Road) Regulations 1980* (S.I. No. 253 of 1980), reg. 5.

E118 Previous affecting provision: application of section restricted (29.05.1980) by *Road Transport Act, 1978 (Section 5) Order 1980* (S.I. No. 160 of 1980), reg. 2.

E119 Previous affecting provision: application of section restricted (29.06.1979) by *European Communities (Combined Road/Rail Carriage of Goods Between Member States) Regulations 1979* (S.I. No. 227 of 1979), reg. 5; revoked (11.03.1994) by *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994), reg.. 8(b).

E120 Previous affecting provision: power to order exemptions to section provided (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 5, commenced on enactment; substituted and removed (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 10(1)(a), S.I. No. 264 of 1999, subject to transitional provision in subs. (2).

E121 Previous affecting provision: application of section restricted (1.10.1975) by *European Communities (International Carriage of Goods by Road and Rail) Regulations 1975* (S.I. No. 225 of 1975), reg. 5; revoked (11.03.1994) by *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994) .

E122 Previous affecting provision: application of section restricted (7.03.1974) by *European Communities (Road Transport) Regulations 1974* (S.I. No. 57 of 1974), reg. 4.

E123 Previous affecting provision: application of section restricted (21.05.1971) by *Road Transport Act 1971* (8/1971), s. 8(3), S.I. No. 166 of 1971; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

E124 Previous affecting provision: application of section restricted (16.07.1958) by *Transport Act 1958* (19/1958), s. 26(2), commenced on enactment; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005).

E125 Previous affecting provision: application of subs. (2) restricted under certain conditions (8.12.1944) by *Transport Act 1944* (21/1944), s. 118, commenced on enactment; repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005).

Inspection of vehicles carrying merchandise.

35.—(1) Any member of the Gárda Síochána may, at any time and in any place, inspect and examine any lorry or tractor and for that purpose may do all or any of the following things, that is to say:—

(*a*) enter into any place in which such lorry or tractor is;

(*b*) if such lorry or tractor is in motion, require it to stop;

(*c*) require the driver of such lorry or tractor to drive it forthwith to a convenient place indicated by such member for such inspection and examination.

F35**[**(2) Every person who—

(*a*) obstructs or interferes with a member of the Garda Síochána in the exercise of any power conferred by this section, or

(*b*) being the driver of a lorry or tractor in motion, fails to stop it when required by a member of the Garda Síochána under this section so to do, or

(*c*) being the driver of a lorry or tractor fails to comply with a requirement made by a member of the Garda Síochána under this section in relation to such lorry or tractor

shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £500.**]**

Annotations

Amendments:

F35 Substituted (14.07.1986) by *Road Transport Act 1986* (16/1986), s. 14(5), S.I. No. 240 of 1986.

Prohibition of contracts for carriage of merchandise with unlicensed person.

36.—F36**[**(1) No person shall engage or use the services of any undertaking for the carriage by road for reward of merchandise in a vehicle unless—

(*a*) the undertaking is the holder of a road freight carrier's licence, or

(*b*) the carriage is one in respect of which a road freight carrier's licence is not required by law.

(1A) In subsection (1) 'undertaking' means any natural person, any legal person, whether profit-making or not, any association or group of persons without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality.**]**

F37**[**(2) If any person acts in contravention of this section such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £1,000.**]**

Annotations

Amendments:

F36 Substituted (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 9, S.I. No. 264 of 1999.

F37 Substituted (14.07.1986) by Road Transport Act 1986 (16/1986), s. 14(6), S.I. No. 240 of 1986.

Editorial Notes:

E126 Previous affecting provision: subs. (1) substituted (16.05.1978) by *Road Transport Act 1978* (8/1978), s. 6(6), commenced on enactment; substituted as per F-Note above.

E127 Previous affecting provision: subs. (1) amended (20.06.1935) by *Road Transport Act 1935* (23/1935), s. 4, commenced on enactment; substituted as per E-Note above.

Amendment of the Public Roads (Ireland) Act, 1911.

37.—F38**[**...**]**

Annotations

Amendments:

F38 Repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

PART III.

Charges for Carriage of Merchandise.

Classification of merchandise.

38.—F39**[...]**

Annotations

Amendments:

F39 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Editorial Notes:

E128 Previous affecting provision: section amended (18.05.1934) *Road Transport Act 1934* (17/1934), s. 13, commenced on enactment.

Schedules of charges.

39.—F40**[...]**

Annotations

Amendments:

F40 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Variation of classification of merchandise.

40.—F41**[...]**

Annotations

Amendments:

F41 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Variation of schedule of charges.

41.—F42**[...]**

Annotations

Amendments:

F42 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Provisions in relation to settlement and amendment of schedules of charges.

42.—F43**[...]**

Annotations

Amendments:

F43 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Duty of licensees to furnish information to the railway tribunal.

43.—F44**[...]**

Annotations

Amendments:

F44 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Publication of classification of merchandise and schedule of charges.

44.—F45**[...]**

Annotations

Amendments:

F45 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Maximum charges.

45.—F46**[...]**

Annotations

Amendments:

F46 Part III (ss. 38 to 45) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

PART IV.

Provisions in Relation to the Railway Tribunal and Applications to the Railway Tribunal by Certain Public Bodies.

Application of certain sections of the Railways Act, 1924.

46.—F47**[**...**]**

Annotations

Amendments:

F47 Part IV (ss. 46 to 49) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Procedure and fees.

47.—F48**[**...**]**

Annotations

Amendments:

F48 Part IV (ss. 46 to 49) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Editorial Notes:

E129 Previous affecting provision: method for payment of fees under subs. (2) prescribed (16.09.1935) by *Railway Tribunal (Collection of Fees) Order 1935* (S.I. No. 618 of 1935), reg. 3.

E130 Previous affecting provision: use of stamps under subs. (2) provided for (16.09.1935) by *Railway Tribunal (Collection of Fees) Regulations 1935* (S.I. No. 619 of 1935), reg. 3.

E131 Previous affecting provision: power pursuant to section exercised (1.09.1935) by *Railway Tribunal (Road Transport) Fees, Order 1935* (S.I. No. 265 of 1935).

Appeals.

48.—F49**[**...**]**

Annotations

Amendments:

F49 Part IV (ss. 46 to 49) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Provision for applications by public authorities etc., in certain cases.

49.—F50**[**...**]**

Annotations

Amendments:

F50 Part IV (ss. 46 to 49) repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

PART V.

Compulsory Transfer of Certain Merchandise Licenses and Passenger Licences, and Restrictions on Operation of Certain Merchandise Licences.

Merchandise (existing carrier's) licences and annual passenger licences to which Part V applies.

50.—F51**[**...**]**

Annotations

Amendments:

F51 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Application for orders transferring etc., certain merchandise licences and passenger licences.

51.—F52**[**...**]**

Annotations

Amendments:

F52 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E132 Previous affecting provision: application of subs. (1) restricted (18.05.1934) *Road Transport Act 1934* (17/1934), s. 14, commenced on enactment.

Making of orders under Part V.

52.—F52**[**...**]**

Annotations

Amendments:

F52 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Operation of transfer orders and reduction orders.

53.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Compensation on transfer etc. of licences.

54.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Determination of compensation.

55.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Appointment of arbitrator.

56.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Expenses of licensees in relation to arbitrations.

57.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Recovery of amount of award.

58.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Remuneration of arbitrator.

59.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Powers of arbitrator.

60.—F53**[**...**]**

Annotations

Amendments:

F53 Part V (ss. 50 to 60) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

PART VI.

Compensation to Certain Ex-Employees of Licensees Under Merchandise (Existing Carrier's) Licences and Annual Passenger Licences.

Merchandise (existing carrier's) licences and annual passenger licences to which Part VI applies.

61.—F54**[**...**]**

Annotations

Amendments:

F54 Part VI (ss. 61 to 64) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Definitions in relation to Part VI.

62.—F54**[**...**]**

Annotations

Amendments:

F54 Part VI (ss. 61 to 64) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Compensation to ex-employees of certain licensees.

63.—F54**[...]**

Annotations

Amendments:

F54 Part VI (ss. 61 to 64) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

Editorial Notes:

E133 Previous affecting provision: section amended (12.06.1933) by *Road Transport Act 1935* (23/1935), s. 5, commenced as per subs. (2).

Recovery of compensation under Part VI.

64.—F54**[...]**

Annotations

Amendments:

F54 Part VI (ss. 61 to 64) repealed (31.10.2005) by *Road Transport Act 1999* (15/1999), s. 23 and sch., S.I. No. 683 of 2005.

PART VII.

AMENDMENT OF CERTAIN ENACTMENTS.

Definitions in relation to Part VII.

65.—In this Part of this Act—

the expression "seasonal passenger licence" means an annual passenger licence in respect of a specified part of a year only; the word "season" in relation to a seasonal passenger licence means the specified part of a year to which such licence relates.

Amendment of meaning of expression "passenger road service" in Act of 1932.

66.—F55**[...]**

Annotations

Amendments:

F55 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Editorial Notes:

E134 Previous affecting provision: section amended (13.07.1983) by *Postal and Telecommunications Services Act 1983* (24/1983), s. 8 and sch. 4 pt. 1, commenced on enactment; superseded as per F-note above.

Extension of duration of passenger licences in force on 31st October, 1933.

67.—F56**[**...**]**

Annotations

Amendments:

F56 Repealed (1.12.2010)by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Commencement and duration of future seasonal passenger licences.

68.—F57**[**...**]**

Annotations

Amendments:

F57 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Duration of renewals of future seasonal passenger licences.

69.—F58**[**...**]**

Annotations

Amendments:

F58 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Amendment of conditions of an annual passenger licence during its currency.

70.—F59**[**...**]**

Annotations

Amendments:

F59 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Editorial Notes:

E135 Previous affecting provision: Minister for Communications construed as Authority (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 29(7), S.I. No. 357 of 1986.

Revocation of passenger licences.

71.—F60**[**...**]**

Annotations

Amendments:

F60 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Editorial Notes:

E136 Previous affecting provision: Minister for Communications construed as Authority (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 29(7), S.I. No. 357 of 1986.

Date of transfer of passenger licences.

72.—F61**[**...**]**

Annotations

Amendments:

F61 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Editorial Notes:

E137 Previous affecting provision: Minister for Communications construed as Authority (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 29(7), S.I. No. 357 of 1986.

Evidence.

73.—F62**[**...**]**

Annotations

Amendments:

F62 Repealed (1.12.2010) by *Public Transport Regulation Act 2009* (37/2009), s. 28(b), S.I. No. 566 of 2010.

Editorial Notes:

E138 Previous affecting provision: Minister for Communications construed as Authority (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 29(7), S.I. No. 357 of 1986.

Amendment of the Railways Act, 1924, and the Railways (Miscellaneous) Act, 1932.

74.—F63**[...]**

Annotations

Amendments:

F63 Repealed (8.12.1944) by *Transport Act 1944* (21/1944), s. 5 and sch., commenced on enactment.

Number 8 *of* 1933

ROAD TRANSPORT ACT 1933

REVISED

Updated to 28 May 2019

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Although not included in a collective citation, this Act is one of a group of Acts which deal with the same subject matter:

- *Road Transport Act 1933* (8/1933)
- *Road Transport Act 1934* (17/1934)
- *Road Transport Act 1935* (23/1935)
- *Transport Act 1944* (21/1944), Part VII
- *Transport (Miscellaneous Provisions) Act 1955* (21/1955)
- *Transport Act 1958* (19/1958)
- *Transport (No. 2) Act 1959* (40/1959)
- *Road Transport Act 1971* (8/1971)
- *Road Transport Act 1978* (8/1978)
- *Road Transport Act 1986* (16/1986)
- *Road Transport Act 1999* (15/1999)
- *Road Traffic and Transport Act 2006* (28/2006)
- *Road Transport Act 2011* (31/2011)

Acts previously included in the group but now repealed are:

- *Road Transport Act 1932* (2/1932)
- *Road Transport Act 1956* (13/1956)

The definitions in the *Road Transport Act 1933* are applied by the *Road Transport Acts 1934 and 1935* (s. 1(2) of each Act). The following Acts are to be construed together as one with the *Road Transport Act 1933*:

- *Transport Act 1944* (21/1944), Part VII (s. 111(2))
- *Road Transport Act 1971* (8/1971) (s. 12(2))
- *Road Transport Act 1978* (8/1978) (s. 11(2))
- *Road Transport Act 1986* (16/1986) (s. 22(2))
- *Road Transport Act 1999* (15/1999) (other than ss. 17, 18 and 21) (s. 25(2))
- *Road Traffic and Transport Act 2006* (28/2006) (s. 2 only) (s. 2(10))
- *Road Transport Act 2011* (31/2011) (s. 23(2))

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Road Transport Act 2011* (31/2011)
- *Public Transport Regulation Act 2009* (37/2009)
- *Road Traffic and Transport Act 2006* (28/2006)
- *Road Transport Act 1999* (15/1999)
- *Road Transport Act 1986* (16/1986)
- *Dublin Transport Authority Act 1986* (15/1986)
- *Postal and Telecommunications Services Act 1983* (24/1983)
- *Road Transport Act 1978* (8/1978)
- *Road Transport Act 1971* (8/1971)
- *Transport Act 1958* (19/1958)
- *Road Transport Act 1956* (13/1956)
- *Transport (Miscellaneous Provisions) Act 1955* (21/1955)
- *Transport Act 1950* (12/1950)
- *Transport Act 1944* (21/1944)
- *Road Transport Act 1935* (23/1935)
- *Road Transport Act 1934* (17/1934)
- *Road Transport (No. 2) Act 1933* (39/1933)

All Acts up to and including *Greyhound Racing Act 2019* (15/2019), enacted 28 May 2019, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Road Transport Act. 1978 (Section 5) Order 1996* (S.I. No. 53 of 1996)
- *Road Transport Act. 1978 (Section 5) Order 1995* (S.I. No. 84 of 1995)
- *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1995* (S.I. No. 66 of 1995)
- *Road Transport Acts (Vehicle Plate Application Form) Regulations 1994* (S.I. No. 142 of 1994)
- *Road Transport Acts (Fees) Regulations 1994* (S.I. No. 141 of 1994)
- *European Communities (International Carriage of Goods by Road) Regulations 1994* (S.I. No. 140 of 1994)
- *European Communities (Combined Transport of Goods Between Member States) Regulations 1994* (S.I. No. 60 of 1994)
- *Road Transport Act, 1978 (Section 5) Order 1992* (S.I. No. 191 of 1992)
- *Road Transport Act, 1978 (Section 5) Order 1991* (S.I. No. 201 of 1991)

- *Road Transport (Road Freight Carrier's Licence Application Form) Regulations 1991* (S.I. No. 61 of 1991)
- *European Communities (Merchandise Road Transport) Regulation 1991* (S.I. No. 60 of 1991)
- *Road Transport Act, 1978 (Section 5) Order 1990* (S.I. No. 180 of 1990)
- *Road Transport Act, 1978 (Section 5) Order 1989* (S.I. No. 144 of 1989)
- *Road Transport (Merchandise Licence Application Form) Regulations 1988* (S.I. No. 211 of 1988)
- *Road Transport Acts (Fees) Regulations 1988* (S.I. No. 193 of 1988)
- *European Communities (Merchandise and Road Transport) Regulations 1988* (S.I. No. 180 of 1988)
- *Road Transport Act, 1933 (Part II) (Amendment) Regulations 1986* (S.I. No. 315 of 1986)
- *Road Transport Acts (Fees) Regulations 1986* (S.I. No. 312 of 1986)
- *Road Transport Act, 1986 (Merchandise Licence Application Form) Regulations 1986* (S.I. No. 302 of 1986)
- *Road Transport (Vehicle Plate Issuing Stations) Order 1986* (S.I. No. 106 of 1986)
- *Road Transport Act, 1978 (Section 5) (No. 2) Order 1983* (S.I. No. 332 of 1983)
- *Road Transport Act, 1978 (Section 5) Order 1983* (S.I. No. 331 of 1983)
- *Road Transport Acts (Fees) Regulations 1982* (S.I. No. 277 of 1982)
- *Road Transport Act, 1978 (Section 5) (No. 4) Order 1982* (S.I. No. 269 of 1982)
- *Road Transport Act, 1978 (Section 5) (No. 3) Order 1982* (S.I. No. 268 of 1982)
- *Road Transport Act, 1978 (Section 5) (No. 2) Order 1982* (S.I. No. 267 of 1982)
- *Road Transport Act, 1978 (Section 5) (No. 2) Order 1982* (S.I. No. 41 of 1982)
- *European Communities (International Carriage of Goods by Road) Regulations 1980* (S.I. No. 253 of 1980)
- *Road Transport Act, 1978 (Section 5) Order 1980* (S.I. No. 160 of 1980)
- *European Communities (Combined Road/Rail Carriage of Goods Between Member States) Regulations 1979* (S.I. No. 227 of 1979)
- *European Communities (Merchandise Road Transport) Regulations 1977* (S.I. No. 386 of 1977)
- *Road Transport Acts (Fees) Regulations 1977* (S.I. No. 256 of 1977)
- *European Communities (International Carriage of Goods by Road and Rail) Regulations 1975* (S.I. No. 225 of 1975)
- *Fuels (Control of Supplies) (Restriction on Deliveries of Motor Spirit) (No. 2) Order 1974* (S.I. No. 84 of 1974)
- *European Communities (Road Transport) Regulations 1974* (S.I. No. 57 of 1974)
- *Fuels (Control of Supplies) (Restriction on Deliveries of Gas Diesel Oil, Kerosene and Fuel Oil) Order 1973* (S.I. No. 306 of 1973)
- *Carriage of Wheat Order 1972* (S.I. No. 204 of 1972)
- *Carriage of Wheat Order 1971* (S.I. No. 222 of 1971)
- *Road Transport Act, 1971 (Fees) Regulations 1971* (S.I. No. 183 of 1971)
- *Carriage of Wheat Order 1970* (S.I. No. 188 of 1970)
- *Carriage of Wheat Order 1969* (S.I. No. 163 of 1969)
- *Carriage of Wheat Order 1968* (S.I. No. 174 of 1968)
- *Carriage of Wheat Order 1967* (S.I. No. 187 of 1967)
- *Carriage of Wheat Order 1966* (S.I. No. 184 of 1966)
- *Carriage of Wheat Order 1965* (S.I. No. 164 of 1965)
- *Carriage of Commodities Order 1965* (S.I. No. 132 of 1965)
- *Carriage of Wheat Order 1964* (S.I. No. 201 of 1964)
- *Carriage of Wheat Order 1963* (S.I. No. 154 of 1963)
- *Carriage of Wheat Order 1962* (S.I. No. 140 of 1962)
- *Carriage of Wheat Order 1961* (S.I. No. 140 of 1961)
- *Carriage of Wheat Order 1960* (S.I. No. 172 of 1960)
- *Carriage of Wheat Order 1959* (S.I. No. 149 of 1959)
- *Carriage of Wheat Order 1958* (S.I. No. 180 of 1958)
- *Carriage of Wheat (No. 2) Order 1956* (S.I. No. 234 of 1956)
- *Carriage of Wheat Order 1956* (S.I. No. 84 of 1956)
- *Carriage of Wheat Order 1955* (S.I. No. 168 of 1955)
- *Road Transport Act, 1933, Regulations 1955* (S.I. No. 69 of 1955)
- *Road Transport Act, 1933 (Part II) Regulations 1952* (S.I. No. 8 of 1952)
- *Turf (Suspension of Section 9 (1) of the Road Transport Act, 1933) Order 1946* (S.I. No. 267 of 1946)
- *The Road Transport Act, 1933 (Part II) Regulations Order, 1933 (Amendment) Order 1937* (S.I. No. 316 of 1937)
- *The Railway Tribunal (Additional) Rules 1935* (S.I. No. 659 of 1935)

- *Railway Tribunal (Road Transport) Fees, Order 1935* (S.I. No. 265 of 1935)
- *The Road Transport Act, 1933 (Section 29) Regulations Order 1934* (S.I. No. 173 of 1934)
- *The Road Transport Act 1933 (Appointed Day) Order 1934* (S.I. No. 140 of 1934)
- *The Road Transport (Vehicle Plate Issuing Stations) (Amendment) Order 1933* (S.I. No. 180 of 1933)
- *The Road Transport Act, 1933 (Appointed Day) Order 1933* (S.I. No. 126 of 1933)
- *The Road Transport (Vehicle Plate Issuing Stations) Order 1933* (S.I. No. 125 of 1933)
- *The Road Transport Act 1933, (Part II) Regulations Order 1933* (S.I. No. 120 of 1933)
- *The Road Transport Act, 1933, (Part V) Regulations Order 1933* (S.I. No. 119 of 1933)

All statutory instruments up to and including *European Communities (Sheep Identification) (Amendment) Regulations 2019* (S.I. No. 243 of 2019), made 28 May 2019, were considered in the preparation of this revision.