



Department for

Infrastructure

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www.infrastructure-ni.gov.uk

GV(NI)79G: Guidance Notes to Help you Complete your Goods Vehicle Operator's Licence Application

You must complete an online application form and include all supporting documents.

If you upload the correct supporting documents to your online application it will help the Department make a decision on your application more quickly.

If you are applying for an interim licence online, please note it can only be considered if your application is complete and all supporting documents have been received and accepted.

You must read the information in these guidance notes when completing the application.

How to use these notes

The notes relate to each section of the application, describe what you need to tell us, and give details of supporting documents that you must upload to the online application.

Further information

If you have read the guidance notes and are still not sure how to complete any part of the application, please call NI Direct on 0300 200 7831 for advice, **before** you submit your application.

The guidance notes only contain the information necessary for you to complete the application. For general information on goods vehicle operator licensing, including further details as to the obligations every licence holder is expected to meet, you should read the **Guide for Operators (GV(NI)74)** at infrastructure-ni.gov.uk/.

It is important that you understand the responsibilities of being a goods vehicle operator before you apply for a licence, as you will be required to meet the obligations immediately if your application is granted

Guidance Note 1 – Your contact details

- 1a)** Once you have submitted your application, you may be contacted to discuss it or to obtain further information. You must therefore provide us with details of who the contact is for this purpose. The applicant should ensure that the person listed will be contactable during the weeks after your application has been submitted. If further information is required and you cannot be contacted, then your application may be refused.
- 1b)** Please give your correspondence address telephone number and email address. The email address will also be used to send other important information. These details will continue to be used to contact you about your licence if your application is successful. You should inform us immediately of any changes to your contact information by updating the information in your online account. You should note that the address cannot be a PO Box or third-party address and must be an address in Northern Ireland.

Standard licence applicants please note- There is a requirement that every standard licence holder/applicant must have an establishment in Northern Ireland with premises in which it keeps its core business documents. Examples of these documents include accounting and personnel management documents and data on driving time and rest. This means that the use of PO Box and third-party addresses are not permitted.

Guidance Note 2 – Your business

- 2a)** Please state your main trade or business in the box provided.
- 2b)** Please tick one box only to let us know what type of business you have. This business entity is the applicant and should be the 'user' of the vehicles to be authorised under the licence. You will be considered to be the user of the vehicle if:
- you are the driver and owner of the vehicle
 - the vehicle is in your lawful possession under an agreement for hire, hire purchase or loan; or
 - the driver is your employee or agent (i.e., you pay them to drive the vehicle for you)

An operator's licence is not transferrable from one business entity to another. For example, if you obtain a licence as a sole trader and then later become a partnership, you would have to apply for a new licence as a partnership.

Guidance Note 3 – Limited company or Limited Liability Partnership (LLP) details

You should only complete Section 3 of the application form if you are a limited company or LLP.

- 3a)** You must provide details of the company or LLP applying for the licence. You must ensure that these details are the same as those on the Companies House register. **Trading name:** A trading name **must** be provided if the limited company trades under a different name from that incorporated with Companies House but the trading name **cannot** be another limited company.
- 3b)** Include details of all company directors if a limited company, or members if an LLP. If there is not enough space to list all the directors/partners on the form you must provide the details requested on a separate sheet, clearly marked with the question number. Where it is an LLP, provide the details of the managing board and attach a full list of members.

- 3c)** As a limited company you may have a “subsidiary”.
A company is a “subsidiary” of another company, (its “holding company”), if that other company—
- holds a majority of the voting rights in it, or
 - is a member of it and has the right to appoint or remove a majority of its board of directors, or
 - is a member of it and controls alone, pursuant to an agreement with other members, a majority of the voting rights in it,
- or** if it is a subsidiary of a company that is itself a subsidiary of that other company.

A company is a “wholly-owned subsidiary” of another company if it has no members except that other and that other's wholly-owned subsidiaries or persons acting on behalf of that other or its wholly-owned subsidiaries.

“Company” includes any corporate body.

If you wish to operate vehicles owned by your subsidiary companies under your company's operator's licence you must give details of the subsidiaries.

Any statutory requirements that apply to the holding company and any undertakings given in the application for the operator's licence will apply equally to the subsidiary companies.

You should note that if the subsidiary operates the vehicles they own themselves, then they should hold the licence. You should only apply to add subsidiaries to your licence if your company will be controlling the use of the vehicles.

Guidance Note 4 – Sole trader details

You should only complete Section 4 of the application form if you are a sole trader.

- 4a)** Please include your full details as requested.
- 4b)** You do not need to specify a trading name, but if you have one you should provide details here.

Guidance Note 5 – Partnership details

You should only complete Section 5 of the application form if your business is a partnership. Please note that this section is not to be completed by LLPs – please refer to Guidance Note 3 if you are a Limited Liability Partnership.

- 5a)** Please give details of all partners. If there is not enough space to list all the partners on the form you must provide the details requested on a separate sheet, clearly marked with the question number.

Note: In a partnership, each partner is jointly (together) and severally (individually) liable for the acts of the partnership. Compliance with an operator's licence is therefore the responsibility of all the partners and you must ensure that you provide details of **every** partner of the business.

- 5b)** You do not need to specify a trading name, but if you have one you should provide the details here.

Guidance Note 6 – Other organisation details

You should only complete Section 6 of the application form if you are an organisation which is not a sole trader, partnership, LLP or limited company.

- 6a)** Please give the details of the official name of your organisation and state what type of organisation it is.
- 6b)** Please give details of the persons responsible for your organisation. This is the person or group of people with the controlling influence over the organisation, for example the board of directors, board of trustees, governing body or persons or the chief executive.

If there is not enough space to list all the persons responsible for your organisation on the form you must provide the details requested on a separate sheet, clearly marked with the question number.

Guidance Note 7 – Type of licence

- 7a)** You must specify which type of licence you require*. You must ensure that you only tick one box. The three types of operator's licence are as follows:

Standard National

A Standard National licence is required if you carry other people's goods for hire or reward within the United Kingdom only. This type of licence is required even if you only carry goods for other people occasionally. It also entitles you to carry your own goods.

Note: although the statutory provisions of operator licensing apply only to Northern Ireland, Great Britain falls within the scope of national licence journeys, whereas the Irish Republic does not.

Standard International

A Standard International licence is required if you carry other people's goods for hire or reward within the United Kingdom and abroad. It also entitles you to carry your own goods.

If you wish to operate light goods vehicles (over 2.5 tonnes up to and including 3.5 tonnes) on international journeys, they will also need to be added to the application. Further details about the requirements for LGV (light goods vehicle) licensing are at: infrastructure-ni.gov.uk/articles/new-rules-international-road-haulage-2022.

Restricted

If you only want to carry your own goods in connection with your trade or business then you need a restricted licence. **You must not carry goods for other people for hire or reward if you have a restricted licence.**

*Whilst regulation 3 of the Goods Vehicles (Qualifications of Operators) Regulations (Northern Ireland) 2012 makes clear that a standard licence granted under the Goods Vehicles (Licensing of Operators) Act 2010 constitutes an authorisation to pursue the occupation of road haulage operator (as applicable) for the purposes of EU Regulation 1071/2009, references to national and international standard licences are included above for transitional purposes.

Guidance Note 8 – Standard licence applicants – professional competence

Section 8 of the application form only applies if you are applying for a standard national or standard international licence.

You must employ or contract one or more people who will act as the transport manager(s) on your licence. They are responsible for the continuous and effective control of the management of the transport operations of the business.

Qualifications

Your transport manager(s) must hold one of the following:

- a certificate of professional competence (CPC) in Road Haulage Operations
- an 'Acquired Rights' certificate (which replaced Grandfather Rights) issued by the Department of the Environment after 26th September 2011 for HGV applications
- an acquired rights exemption for LGV operations are issued by the Secretary of State for Transport. To be granted this exemption, the applicants must prove that they have continuously managed an LGV haulage operation for the period of 10 years before 20 August 2020. Applications for LGV Acquired Rights will close on 20 May 2024 and after that date no new exemptions will be issued
- a qualification recognised as equivalent to the CPC such as membership by examination of a body recognised by the Department for Transport.

You must provide the **original** certificate(s) of qualification, for each transport manager you wish to specify on your licence, with your application.

Form TM(NI)1

You must complete the online transport manager form for each transport manager you intend to specify on your licence. The Guidance Notes **TM(NI)1G (Annex G)** will help you to complete the questions and provide further information about the role of the transport manager.

8a) You must confirm that for each person you wish to be named as a transport manager on your licence, even if you are a sole trader who is also the transport manager, or you are one of the named partners or directors on the application, you have:

- completed the online nomination
- provided original proof of qualification(s)

Guidance Note 9 – Total vehicle and trailer authorisation required on this licence

9a) Enter the **total** number of vehicles and trailers you want to be authorised under your operator's licence. This can be more than the number you plan to operate straight away if you would like a margin for future expansion.

- 9b)** You will need special permits, referred to as UK Licences for the Community (UKLCs), if you plan to carry out hire or reward operations to, from and through other European Community countries. A copy must be carried in each vehicle.

You will be issued with these permits if you are granted a Standard International Licence. Give the number of authorised vehicles you plan to use for international operations. *For more information on UKLCs see the **GV(NI)74 Guide for Operators**.*

Guidance Note 10 – Operating Centre details

When choosing an operating centre you should make sure that there is sufficient space to park all your vehicles when they are not in use, even if all vehicles will not be in the operating centre at the same time. You should also make sure that you can enter and exit the site safely and that visibility is clear in each direction.

In addition to your application for an operator's licence, you should check that your proposed operating centre meets the requirements of planning law. **If you are unsure, contact the Planning Service.** Authorisation to use an operating centre under an operator's licence does not convey any approval under planning law and using the operating centre without the correct planning approval may lead to enforcement action by Planning Service.

- 10a)** Please give the address at which you will be parking the vehicles and trailers. It is essential that you use the full and accurate address of any operating centre which must include a postcode and should also include a unit number if one exists.
- 10b)** Please give the **total** number of vehicles which you wish to keep at your proposed operating centre(s). If you are applying for a margin for future expansion please ensure that you include this within the total.
- 10c)** Please give the **total** number of trailers which you wish to keep at your proposed operating centre(s). If you are applying for a margin for future expansion please ensure that you include this within the total.
- 10d)** Please give the total number of off-street parking spaces available to you for parking your vehicles and trailers at your proposed operating centre(s). Please note that if you are applying for one vehicle and one trailer, it is expected that at least 2 parking spaces are available.
- 10e)** Please confirm whether you either own, lease or rent the premises at which you wish to keep vehicles/trailers.
- 10f)** You must have permission from the owner of the premises at which you wish to park if you do not own the site.
- 10g) Please read this note carefully in full. Your application will be refused if you do not meet the advertising requirement and your application fee will not be refunded.**

You must advertise your application at your own expense in one or more local newspapers circulating in the locality of the operating centre(s) listed in the application. It is important that your advert(s) appear:

- with the correct wording
- within a suitable newspaper
- within the correct time period

The DfI will refuse your application if you have not advertised it correctly.

What wording should I put in my advertisement?

A sample advertisement and a template is available during the online application for you to complete and give to the newspaper. You should not add or remove any of the wording in the template except where stated in the instructions. It is important that the details you put in your advertisement are the same as the details provided in your application.

How do I choose a suitable newspaper?

Select a local newspaper circulating in the vicinity of the operating centre. "Free sheet" newspapers that only carry advertisements are not acceptable. If you use such a publication your application will be refused and you will have to re-advertise at further expense to yourself. A list of acceptable newspapers by postcode is in Annex 1 of the Department's Practice Guidance document 4 at: infrastructure-ni.gov.uk/articles/goods-vehicle-licensing-practice-guidance-documents.

When does my advert need to appear in the paper?

Notice of your application must appear in a local newspaper during the period beginning 21 days before the DfI receives your application and ending 21 days after the receipt of your application. For example, if your application is received on the 1 June, your advert must have been in a local paper between 11 May and 22 June.

It is strongly advised that you place your advert so that it appears in a local newspaper within the 21 days **before** you submit your application. This will give you time to re-advertise your notice if the original advertisement is wrong.

What if I am applying for more than one operating centre?

If you are applying to use more than one operating centre, you must take extra care when placing your advertisements. If the proposed operating centres are in different locations, covered by different local newspapers, you must place a separate advertisement for each one. Each advertisement must meet the criteria stated above.

If the operating centres are in locations that are all covered by the same local newspaper, one advertisement will be sufficient, but it must include each operating centre's address and the total number of vehicles and trailers to be kept at each site.

How do I prove I have met the advertising requirement?

You select a local newspaper in which other public notices regularly appear, such as notice of planning applications and place the advertisement.

You must submit the whole page of the newspaper(s) containing your advert(s) to the DfI. You should ensure that the page with your advert also contains the full name and date of the newspaper.

It is in your interest to upload the newspaper page(s) to your online application. If this is not possible, you must submit such pages separately to the Department for Infrastructure, Central Licensing Office as soon as possible after the date of publication. If you have been given a reference number you must quote it.

Are there any exemptions to placing an advertisement?

The majority of applicants are required to publish notice of their application in a local newspaper. However, in limited circumstances, you **may** be exempt if you are taking over an operating centre from the holder of a **valid** operator's licence. **This process (known as "schedule 1") is subject to strict limitations** including:

- there must be no increase to the existing number of vehicle/trailer authorisations at the operating centre
- the existing licence holder must be giving up the premises before the DfI grants your application
- the operating centre should not be shared with any other operators

If you think that this may apply to you, call contact NI Direct on 0300 200 7831 **before** submitting your application.

If Schedule 1 does apply to you then form **GV(NI)72** (Transfer of Operating Centres) is also required which the NI Direct contact centre will provide.

Guidance Note 11 – Vehicle details

The vehicle details provided here will be listed (specified) on your operator's licence if the DfI grants your application. **Only vehicles registered in the United Kingdom (UK) can be specified on your operator licence.**

Restricted licence applicants:

If you intend to operate hired vehicles for short periods only you do not have to give vehicle details. However, if the hire contract should extend beyond one month, the vehicle must be specified on your operator's licence.

Standard licence applicants:

Standard licence applicants must be able to prove they always have a formal arrangement for access to at least one vehicle registered or in circulation in the UK.

This could be by specifying a vehicle for use under a licence or by demonstrating on request that the licence holder has a vehicle available – so vehicles may be either wholly owned or held under a hire-purchase, hire/leasing arrangement or other type of formal arrangement.

- 11a)** If you know the details of the vehicles you wish to operate, you must provide them now, otherwise you should tick the box to confirm that you are not submitting vehicle details at this time.

Please provide all information requested for each vehicle.

Gross plated weight

This is the total permitted weight of a loaded vehicle and can be found on the manufacturer's plate, usually inside the cab of a motor vehicle or on the nearside headboard of a trailer, and on the V5C log book.

Guidance Note 12 – Safety inspections

You must satisfy the DfI that you will keep your vehicles and trailers in a fit and serviceable condition. It is your responsibility as operator to ensure that you always meet this requirement. You must ensure that daily walk round checks are carried out, as well as regular safety inspections, and ensure that any necessary maintenance work is carried out as soon as you become aware of a problem.

You may carry out the safety inspections and maintenance work yourself if you employ someone who is suitably qualified and you have adequate facilities available, or you may contract this work out to a third party. If you contract the work out you should have a formal contract in place with them.

The Guide to Maintaining Roadworthiness, available from infrastructure-ni.gov.uk/, explains the responsibilities and systems involved in maintaining vehicles in a roadworthy condition, and gives information setting out the specific standards for inspections, checks and the monitoring of maintenance arrangements. You are strongly advised to read this document.

You may also seek advice from trade associations such as the Road Haulage Association and Freight Transport Association, or from DVA examiners. Details on how to contact them can be obtained by calling NI Direct on **0300 200 7831**.

- 12a)** You should enter the maximum number of weeks between safety inspections for vehicles and trailers. This should not exceed 13 weeks. You may choose to have safety inspections for some vehicles more often than others, but you must not exceed the maximum number of weeks stated for any vehicle. For example, if you have some vehicles inspected at 6 weeks and some at 8 weeks, put down 8 weeks.

Guidance on the length of time between safety inspections is available in **Annex 4 of The Guide to Maintaining Roadworthiness** at infrastructure-ni.gov.uk/publications/driver-vehicle-agency-guide-maintaining-roadworthiness.

- 12b)** You should give details of who will carry out the safety inspections on the vehicles and trailers you intend to operate and where this will take place. If this will be carried out by more than one garage please provide details of all safety inspectors.
- 12c)** You must ensure that you are aware of the standards for maintenance and have put suitable maintenance arrangements in place, whether you will be inspecting and maintaining your own vehicles or contracting the work out.

If you are granted a licence a Driver and Vehicle Agency vehicle examiner may visit you to check your maintenance arrangements and vehicles. You will also be required to present your vehicles for annual vehicle testing. If the vehicles are not in a fit and serviceable condition then regulatory action may be taken by the Department.

If a third party will be carrying out the safety inspections on your vehicles, or any maintenance work required, or both, you must put a contract in place.

Guidance Note 13 – Financial evidence

- 13a)** The Department must be satisfied that you have sufficient financial resources to maintain your vehicles and run your business. This requirement is **not** reduced in the case of contract or lease hire vehicles whose maintenance is included in the hire charge.

The financial standing requirement for operators is a continuing and mandatory requirement that must be kept up to date. Existing operators will be liable to demonstrate the increased pound sterling rate whenever their licences are considered by or on behalf of the Department, either at the five- year review stage or where the Department considers an operator's licence for any other reason.

The Department will assess the evidence you send in against the current financial levels. Details of the current financial levels can be found on the Dfl website at: nidirect.gov.uk/articles/goods-vehicle-operator-licensing-licence-applications. **You should ensure that you have sufficient financial evidence to show that you meet the current levels for the type of licence and number of vehicles you are applying to operate.** If you are applying for a margin for future expansion, you must ensure that you can show access to sufficient funds for all the vehicles you are applying for, not just the ones you wish to operate straight away.

All applicants must provide financial evidence so the Dfl can assess this requirement, as follows.

Availability

The key test in demonstrating financial resources is whether the applicant or operator has available capital and reserves of an amount equal to the sum specified. "Available" is defined as: "capable of being used, at one's disposal, within one's reach, obtainable or easy to get". The three questions an operator needs be able to answer are:

- how much money can the operator find if the need arises?
- how quickly can they find it?
- and where will it come from?

Name(s) on financial evidence supplied

All financial documents should be in the same name as the applicant or licence holder. In the case of partnerships be in the same name(s) as one or both of the applicants or licence holders.

In the case of a Limited Company **and Limited Liability Partnerships (LLPs)** the funds must be held within the company.

The Dfl may allow documents in a different name for sole traders and partnership's, but this must be supported by a statutory declaration signed by the natural person who is the sole account holder or is a joint account holder with the applicant. A statutory declaration form if required for this purpose, must be signed in the presence of a solicitor and is available online at: infrastructure-ni.gov.uk/publications/goods-vehicle-operator-licensing-financial-statement-statutory-declaration.

For companies, group and cross guarantees will be referred to the Dfl to consider the merits and will require evidence of the financial standing of the guarantor.

The types of evidence listed below are not exhaustive.

Bank statements

You should provide original bank, credit union, or building society statements covering the last 28 days, the last date of which must not be more than two months from the date of receipt of the application. If original bank statements are not available, for instance if you have an online only account, then you may provide printouts that have been signed and stamped by the bank as verification that they show a true reflection of your account. Any such printouts must contain the account holder's name and account number, the name of the bank, and all transactions taking place within the 28-day period.

Building society accounts will only be acceptable if funds can be drawn down within one month.

Unusually large deposits/withdrawals which have influenced the average balance might lead to further enquiries and a request for an explanation from the applicant/operator. The Dfl might ultimately decide to discount these deposits/withdrawals from the average balance. If there is any doubt as to the source of funds this will be referred to the Dfl.

Credit card accounts (in the same name as the application or licence holder) must be supported by original documents, as with bank statements, to show that over the same three-month period the funds available meet the criteria. Where a credit card account is the sole source of evidence to prove the availability of finance the Dfl is entitled to ask why there is no other evidence of banking facilities available.

If the applicant has a new business and thus does not have statements for 28 days, an opening balance meeting the requirement may be accepted, with an explanation regarding the source of funds but it may be the subject of a requirement to submit further financial evidence within a specified period after the date of grant (likely to be 6 to 12 months) to provide the operator with an opportunity to then supply three months of evidence.

Overdraft facility

The applicant or operator can supplement bank or building society accounts statements by the use of an overdraft or credit facility. That is an overdraft at their disposal in the sense that there is a balance undrawn before the limit is reached. The facility must be demonstrated by a formal written commitment by the bank, etc. (An offer of such a facility will not suffice.) If an overdraft facility has been in place over 12 months, evidence of renewal and the amount will be required.

The average balance shown in the statements will be calculated and added to any overdraft or credit facility to show the amount of credit that can be used as proof of financial standing. If the average balance is negative, this will be subtracted from the overdraft limit to find the available finance.

Invoice Finance Agreement

An invoice finance agreement is acceptable, but only if accompanied by:

- confirmation of available balances not drawn down averaged over a three-month period
- a copy of the signed agreement from the finance company in which they agree to retain the amount of money needed to meet the definition of financial standing
- a completed schedule signed on behalf of the finance company

If you are supplying an invoice finance agreement you must still provide bank statements as detailed above.

Audited accounts – limited companies and Limited Liability Partnerships

These must be certified by a properly qualified person, be drawn up clearly and give a true and fair view of the company's assets, liabilities, financial provision and profit or loss.

The items that must comprise the annual accounts are:

- a balance sheet
- that the company is trading profitably (on the profit and loss sheet)
- notes on the account
- a positive ratio of more than 1.0 (when dividing total assets by total liabilities)
- a positive ratio of more than 0.5 (when dividing current assets by current liabilities)

The latest audited annual accounts (in respect of the financial year end, to a date not more than 18 months prior to the date of application) can be used as a substitute for bank statements, generally only where the entity is an established and substantial limited company/plc with a turnover of more than £10.2m (subject to statutory uprating).

Smaller businesses, however, might seek to use annual accounts as additional evidence to establish financial standing. However, under Regulation (EC) 1071/2009 the Department will accept annual profit and loss accounts and balance sheets or a statement of an opening balance if they are certified by a properly accredited person. Draft annual accounts to a date not more than 12 months prior to the date of application/licence check may be sufficient but will be referred to the Department who may require further evidence.

Annual financial accounts can be a very useful cross check on an operator's financial health. If audited, they should give an accurate (though historic) 'snapshot'. Businesses with a turnover of less than £10.2m are not required to have their accounts audited. Operators, however, with a turnover of more than £1m are advised that your accounts should be prepared by a chartered or certified accountant. Company law allows unaudited financial accounts for businesses with a turnover below £10.2m but the DfI may not place as much weight on unaudited accounts as those which are independently certified. Where any accounts are relied upon it is open to the Department to seek a further check of finances either by way of a condition upon grant or an undertaking.

It is open to the Department to consider financial accounts for all other types of business (i.e., not companies) whether audited or not. This might highlight any insolvent trading positions or unpaid taxes such as PAYE/NI/VAT etc. and may indicate cash flow problems. Where accounts contradict the impression given by the bank statements the DfI might ask for further enquiries to be made. Applicants and operators are reminded of the need to reply to these further enquiries in a timely manner.

In addition to the types of financial evidence shown earlier, the DfI may agree that an operator can demonstrate its financial standing by means of a certificate such as a bank guarantee or insurance, including professional liability insurance from one or more banks or other financial institutions, including insurance companies, providing a joint and several guarantee for the operator in respect of the amounts specified above.

The evidence must be those of the economic entity (applicant/operator) established in Northern Ireland where an authorisation has been applied for and not those of any other entity established in any other country or European Member State.

- 13b)** The Dfl requires details about any insolvency history of applicants for an operator's licence. Previous insolvency history may affect an applicant's fitness or repute. The Department will consider each case on merit and it is vital that you declare all previous insolvency history.

Please tick either 'yes' or 'no' in answer to **all** questions.

If you tick 'yes' in answer to **any** of the questions then you must provide full details, on a separate piece of paper. This should include the circumstances leading to the insolvency proceedings, the people, dates and any courts involved, details of any operator's licence affected by such action (including the licence number, licence holder, people involved and so on), plus any other information you think may be relevant.

You must also supply further information if you ticked yes to the relevant part of this question as follows:

- 13b)i.** Bankruptcies: you should provide a copy any certificate of discharge from bankruptcy.
- 13b)ii.** Liquidations: you should provide a copy of the Liquidator's report. If this is not yet available please provide a copy of the report to the creditors, and state when the full Liquidator's report is likely to be available.
- 13b)iii.** Receivership: you should provide a copy of the Receiver's report. If this is not yet available please provide a copy of the report to the creditors, and state when the full Receiver's report is likely to be available.
- 13b)iv.** Administration: you should provide a copy of the Administrator's report. If this is not yet available please provide a copy of the report to the creditors, and state when the full Administrator's report is likely to be available.
- 13b)v.** Disqualification: you should provide a copy of the disqualification orders.

- 13c)** You must inform the Dfl immediately as soon as you become aware of any new insolvency proceedings that involve anyone named on the application, which take place between submitting your application and being notified of any decision on your application. This includes any of the following: bankruptcy, liquidation, receivership, administration or disqualification from being a director.

You should inform the Dfl as soon as you become aware that financial difficulties may lead to insolvency proceedings and should not wait until the procedures are already underway.

If you fail to inform the Dfl of any such proceedings then you risk having your application refused and/or any operator's licences on which the relevant person(s) are specified may be subject to regulatory action.

Guidance Note 14 – Previous licence history

The answers you give in this section will be checked against records. If you are unsure, please include the detail and if it is not required it will be noted before your application is determined by the Department.

Please answer all questions 'Yes' or 'No' and provide details where you have answered 'Yes'.

If you have purchased the assets or shareholding of a company, but you are not sure whether they hold a licence, you may carry out an operator search by visiting gov.uk/find-vehicle-operators.

Guidance Note 15 – Convictions and Penalties

- 15** You must declare all penalties and unspent convictions on the application form including any offences outside the UK. This includes mobile phone and speeding offences within the last five years.

You are reminded that it is a criminal offence to make a false declaration on the application.

You should provide full details of the background circumstances of any convictions or penalties declared on a separate piece of paper.

Failure to provide information that may influence a decision to grant your licence could subsequently lead to regulatory action.

Spent convictions

You do not have to declare convictions which are “spent” under the Rehabilitation of Offenders (Northern Ireland) Order 1978. The table below shows the rehabilitation period, at the end of which convictions will become spent. The rehabilitation period depends on the sentence for the original offence and runs from the date of conviction.

A sentence of imprisonment for life or a sentence of imprisonment, detention in a YOI, a sentence of preventative detention or a sentence of detention during Her Majesty’s pleasure for terms exceeding 30 months are excluded from rehabilitation. Otherwise:

Rehabilitation periods (subject to reduction by half for persons under 18).

Sentence	Rehabilitation period
A sentence of imprisonment or corrective training for a term exceeding six months but not exceeding thirty months.	Ten years
A sentence of cashiering, discharge with ignominy or dismissal with disgrace from Her Majesty's service.	Ten years
A sentence of imprisonment for a term not exceeding six months.	Seven years
A sentence of dismissal from Her Majesty's service.	Seven years
Any sentence of detention in respect of a conviction in service disciplinary proceedings.	Five years
A fine or any other sentence subject to rehabilitation under this Order, not being a sentence to which Table B or any of paragraphs (3) to (8) applies.	Five years

Rehabilitation periods for certain sentences confined to young offenders.

Sentence	Rehabilitation period
A sentence of Borstal training.	Seven years
A custodial order under Schedule 5A to the Army Act 1955 or the Air Force Act 1955 or under Schedule 4A to the Naval Discipline Act 1957 where the maximum period of detention specified in the order is more than six months.	Seven years
A custodial order under section 71AA of the Army Act 1955 or the Air Force Act 1955, or under section 43AA of the Naval Discipline Act 1957, where the maximum period of detention specified in the order is more than six months.	Seven years
A sentence of detention for a term exceeding six months but not exceeding thirty months passed under Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998 ¹ .	Five years
A sentence of detention for a term not exceeding six months passed under that Article 45.	Three years
A custodial order under any of the Schedules to the said Acts of 1955 and 1957, where the maximum period of detention specified in the order is six months or less.	Three years
A custodial order under section 71AA of the said Acts of 1955, or section 43AA of the said Act of 1957, where the maximum period of detention specified in the order is six months or less.	Three years

A later conviction may affect the rehabilitation period for an earlier conviction if it happens before the first period has run out.

If you are not sure whether your convictions are “spent”, you should declare it and the DfI will then consider each case on its merits.

You must inform the Department immediately of any penalties and convictions that occur between the date of you applying for a licence and a decision being made on your application. The Department will decide whether these are relevant to your application

Guidance Note 16 – Undertakings and declaration

Please read the undertakings carefully and ensure that you fully understand the obligations you are making before signing the declaration. By signing the application you are accepting the undertakings and you are responsible for ensuring that you comply with them at all times.

The application must be signed by the person who will be the licensed operator.

- if you are applying as a sole trader, then you must sign the form yourself
- if you are applying as a partnership it may be signed by all partners named in your answer to the people question or by one partner with the authority of the others
- if you are applying as a limited company or LLP it must be signed by one or more of the partners/directors named in the people section

¹ <http://www.legislation.gov.uk/nisi/1978/1908/article/6 - commentary-c1685864#commentary-c1685864>

- if you are applying as any other organisation, it must be signed by one or more of the people named in your answer the people question

Guidance Note 17 – Payment details

You must pay the application fee online by credit/debit card. Details of the amount payable can be found at nidirect.gov.uk/.

The application fee is non-refundable. You will not get the money back if you withdraw your application or it is refused.

If your application is granted, then there is an additional fee payable for the issue of the licence. This covers your operator's licence for a five-year period. The licence fee is also non-refundable.

If you apply for an interim licence at the same time as the full licence, you will be required to pay the £68 fee. This fee will be refunded if the interim licence is not approved. If you apply for an interim licence after submitting your application, you will only need to pay the fee if it is granted.

Guidance Note 18 – Checklist

The DfI will only consider **complete** applications.

Throughout the online application and guidance notes you have been advised if supplementary evidence is required to support a particular section. Please use the checklist provided to help ensure that you have included everything required.

Your application must contain the correct documentary evidence. If it does not then it cannot be considered by the DfI. **Failure to supply the correct evidence will result in a delay in the processing of your application and may also result in your application being refused.**

I have submitted my application - what happens next?

The Department aims to process your application as soon as possible and within five working days. It could take longer if the team has a high work volume. The information provided will be checked and details of your application will be published in "Applications and Decisions" which is sent to organisations including Local Councils, Police and Trade Associations who have a statutory right to object to the grant of your application. Internal checks will also be carried out and further information may be requested from other parties.

Once your application has been processed, a letter will be sent to you. It is recommended that you elect to receive communications electronically as this will help to speed up processing of your application, will minimise loss or delay of communications in the post, and will ensure you receive other important communications after the application is granted if approved. If the application is incomplete or there is any further information required by the DfI you will be advised of this.

The Department aims to ensure that it is in a position to make a decision on unopposed applications (and those not requiring a public inquiry) within 40 working days of the date of receipt of the application and the required fee. If your application is opposed, if the Dfl requires a public inquiry to determine the application, if an operating centre assessment or further investigations are required, it is likely to take longer.

You must not operate goods vehicles until a licence has been issued to you. Any unlawful use may adversely impact on your application for a licence.

If you need to start operating urgently you can apply to the Dfl for an interim licence. You must give full reasons why you want to operate urgently and these should be stated in the online application. Any application for an interim licence will not be considered unless a complete application has been received for a full licence. Interim licences are granted at the discretion of the Dfl and are not guaranteed. If you are granted an interim licence there is no **guarantee** that a full licence will be issued and you should not make any long term commitments.

If your application is opposed you will be given further advice by this office and you will be asked for supplementary information.