

1987 No. 805

ROAD TRAFFIC

The Community Drivers' Hours and Recording
Equipment (Exemptions and Supplementary Provisions)
(Amendment) Regulations 1987

Made - - - - - *6th May 1987*

Laid before Parliament *11th May 1987*

Coming into force *1st June 1987*

The Secretary of State for Transport, being a Minister designated (a) for the purpose of section 2(2) of the European Communities Act 1972(b) in relation to the regulation and supervision of working conditions of persons engaged in road transport and the regulation of the type, description, construction or equipment of vehicles, in exercise of the powers conferred by that section, hereby makes the following Regulations:

1. These Regulations may be cited as the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) (Amendment) Regulations 1987 and shall come into force on 1st June 1987.

2. The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986(c) shall be further amended as follows.

3. For regulation 2 there shall be substituted the following regulation:

"2.—(1) Pursuant to Article 13(1) of the Community Drivers' Hours Regulation, exemption is granted from all the provisions of that Regulation, except Article 5 (minimum ages for drivers) in respect of any vehicle falling within a description specified in Part I of the Schedule to these Regulations.

(2) Pursuant to Article 13(2) of the Community Drivers' Hours Regulation, exemption is granted from all the provision of that Regulation, except Article 5, in respect of any vehicle falling within a description specified in Part II of the Schedule to these Regulations."

4. For regulation 4 there shall be substituted the following regulation:

"4.—(1) Pursuant to Article 3(2) of the Community Recording Equipment Regulation, exemption is granted from the provisions of that Regulation in respect of any vehicle falling within a description specified in Part I of the Schedule to these Regulations.

(2) Pursuant to Article 3(3) of the Community Recording Equipment Regulation, exemption is granted from the provisions of that Regulation in respect of:

- (a) any vehicle falling within a description specified in Part II of the Schedule to these Regulations; and
- (b) any vehicle which is being used for collecting sea coal."

(a) S.I. 1975/1707 and 1972/1811.

(b) 1972 c.68.

(c) S.I. 1986/1456, to which there is an amendment not relevant to these Regulations.

5.—(1) In the heading to the Schedule for the line

“VEHICLES EXEMPTED BY REGULATIONS 2 and 4”

there shall be substituted the lines

“PART I

VEHICLES EXEMPTED BY REGULATIONS 2(1) and 4(1)”; and

(2) After paragraph 11 of the Schedule there shall be added the following heading and paragraphs:

“PART II

VEHICLES EXEMPTED BY REGULATIONS 2(2) and 4(2)

12. Any vehicle which is being used by the Royal National Lifeboat Institution for the purpose of hauling lifeboats.

13. Any vehicle which was manufactured before 1st January 1947.

14. Any vehicle which is propelled by steam.”.

Peter Bottomley

Signed by authority of the Secretary of State Parliamentary Under Secretary of State,
6th May 1987 Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 (“the Principal Regulations”) by providing for additional exemptions from the provisions (except Article 5) of Council Regulation (EEC) No. 3820/85 of 20th December 1985 (O.J. No. L370, 31.12.85, p.1) on the harmonisation of certain social legislation relating to road transport (“the Community Drivers Hours Regulation”) and from the provisions of Council Regulation (EEC) No. 3821/85 of 20th December 1985 (O.J. No. L370, 31.12.85 p.8) on recording equipment in road transport (“the Community Recording Equipment Regulation”).

The additional exemptions are contained in the new regulations 2(2) and 4(2) of and the new Part II of the Schedule to the Principal Regulations inserted by regulations 3, 4 and 5 respectively of these Regulations. They are granted after authorisation by the Commission of the European Communities given in a decision which has been taken under the provisions of Article 13(2) of the Community Drivers' Hours Regulation and Article 3(3) of the Community Recording Equipment Regulation on 6th April 1987 (O.J. No.).

These Regulations contain certain provisions which were included in a draft of Regulations bearing the title “The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986” which was laid before Parliament on 11th June 1986 and approved by both Houses of Parliament but not made.

45p net

ISBN 0 11 076805 1