STATUTORY INSTRUMENTS

2015 No. 2024

ROAD TRAFFIC

The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015

Made - - - -	*10th December 2015*
Laid before Parliament	*17th December 2015*
Coming into force - -	*25th January 2016*

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**).

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the regulation and supervision of qualifications and working conditions of persons engaged in road transport(**2**).

Citation and commencement

1. These Regulations may be cited as the Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015 and come into force on 25th January 2016.

Amendment of Regulations

2. The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007(**3**) are amended as set out in regulations 3 to 5.

3.—(1) Regulation 2 (interpretation) is amended as follows.

(1) In paragraph (1)—

(a) omit the definition of "the Driving Licences Directive";

(b) after the definition of "periodic training course" insert—

""prison service"—

(a) in relation to England and Wales means—

(**1**) 1972 c.68; section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(1) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).

(**2**) S.I. 1975/1707.

(**3**) S.I. 2007/605, amended by S.I. 2008/1965, 2010/865, 2013/1753, 2013/2667, 2014/1816; there are other amending instruments but none is relevant.

(i) Her Majesty's Prison Service; or

(ii) any person acting under a contract for the running of a contracted out prison within the meaning of section 84 of the Criminal Justice Act 1991(**4**);

(b) in relation to Northern Ireland means the Northern Ireland Prison Service; and

(c) in relation to Scotland means—

(i) the Scottish Prison Service; or

(ii) any person acting under a contract for the running of a contracted out prison within the meaning of section 106 of the Criminal Justice and Public Order Act 1994(**5**);"; and

(c) for the definition of "relevant vehicle" substitute—

""relevant vehicle" means a vehicle for which is required a driving licence of category C, C+E, D or D+E as defined—

(a) in relation to Great Britain, in Part 1 of Schedule 2 to the Driving Licences Regulations(**6**); and

(b) in relation to Northern Ireland, in Part 1 of Schedule 1 of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**7**);

or a driving licence recognised as equivalent;.".

(2) For sub-paragraph (2)(b) substitute—

"(b) save for the purposes of regulation 5A(2A), a reference to a category of relevant vehicle includes references to its sub-categories as defined—

(i) in relation to Great Britain, in Part 1 of Schedule 2 to the Driving Licences Regulations; and

(ii) in relation to Northern Ireland, in Part 1 of Schedule 1 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996.".

4.—(1) Regulation 3 (persons to whom these regulations apply) is amended as follows.

(2) In sub-paragraph (2)(b)—

(a) at the end of paragraph (iii) omit "or";

(b) at the end of paragraph (iv) insert "or"; and

(c) after paragraph (iv) insert—

"(v) the prison service;".

(3) In regulation 3(3)(b)(**8**) for "50" substitute "100".

5. In regulation 5A(**9**), in the table at the end of sub-paragraph (2A)(c)(**10**) omit the last requirement specified in column (1) and the corresponding entries in column (2).

(**4**) 1991 c.53; section 84 was substituted by the Criminal Justice and Public Order Act 1994 (c. 33), section 96.
(**5**) 1994 c. 33; section 106(1), (3) and (4) were amended by S.I. 1999/1820, Schedule 2, Part 1, paragraph 115(1) and (3); section 106(3)(b) was amended by the Agricultural Holdings (Scotland) Act 2003 (asp 11), the Schedule, paragraph 50.
(**6**) "Driving Licences Regulations" is defined in regulation 2(1) of the principle instrument amended by these Regulations to mean the Motor Vehicles (Driving Licences) Regulations 1999 (S.I. 1999/2864). Relevant amending instruments are S.I. 2012/977, 2014/613.
(**7**) S.R. (NI) 1996 No 542, amended by S.R. (NI) 2012 No 170, S.R. (NI) 2013 No 298.
(**8**) Regulation 3(3) was inserted by S.I. 2013/2667.
(**9**) Regulation 5A was inserted by S.I. 2008/1965.
(**10**) Paragraph (2A) was inserted by S.I. 2010/865.