STATUTORY RULES OF NORTHERN IRELAND

2012 No. 248

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

The Community Drivers' Hours Regulations (Northern Ireland) 2012

Made - - - -	*21st June 2012*
Coming into operation	*30th July 2012*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972 [F1].

The Department of the Environment is designated [F2] for the purposes of section 2(2) of the European Communities Act in relation to the measures relating to the organisation of working time.

It appears to the Department of the Environment that it is necessary or expedient that references to Regulation (EC) No 561/2006[F3] of the European Parliament and of the Council in these Regulations be construed as references to that Community instrument as amended from time to time.

F1 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and section 3(3) and Part I of the Schedule to the European Union (Amendment) Act 2008 (c. 7)
F2 S.I. 1997/1174
F3 O.J. No.L102, 11.04.06. p.1

Citation and commencement

1. These Regulations may be cited as the Community Drivers' Hours Regulations (Northern Ireland) 2012 and shall come into operation on 30th July 2012.

Interpretation

2.—(1) In these Regulations "the Community Drivers' Hours Regulation" means Regulation (EC) No 561/2006 of the European Parliament and of the Council as amended from time to time.

[[F4](1A) The Department for Infrastructure is the competent authority for the purpose of these Regulations.**]**

(2) The Interpretation Act (Northern Ireland) 1954 [F5] shall apply to these Regulations as it applies to an Act of the Assembly.

(3) Any expression used in these Regulations which is used in the Community Drivers' Hours Regulation has the same meaning as in that Regulation.

F4 Reg. 2(1A) inserted (18.2.2019) by The Road Traffic and Vehicles and Waterways (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/6), regs. 1(1), **14**
F5 1954 c.33 (N.I.)

Exemption from the Community Drivers' Hours Regulation

3.—(1) This regulation applies to a driver to whom the Community Drivers' Hours Regulation applies, who—

(a) is a member of a volunteer reserve force within the meaning of section 374 of the Armed Forces Act 2006 [F6] or an instructor in the Cadet Corps; and

(b) in that capacity is attending—

(i) annual camp training; or

(ii) a weekend training session,

within the United Kingdom.

(2) Pursuant to Article 14(1) of the Community Drivers' Hours Regulation, an exception is granted from Article 8(2) and (6) of that Regulation in respect of any driver to whom this regulation applies subject to the conditions set out in paragraph (3).

(3) The conditions are—

(a) the exception is limited to a maximum of—

(i) ten weekend training sessions; and

(ii) fifteen days' annual camp training,

in any year;

(b) the driver must not attend weekend training sessions on any two consecutive weekends;

(c) the driver must not attend any annual camp training that takes place over the weekend that immediately follows a weekend training session that the driver has attended;

(d) the driver must not attend a weekend training session on the weekend that immediately follows any annual camp training that the driver has attended;

(e) the driver must not attend any annual camp training that takes place over the weekend that immediately follows the end of an earlier period of annual camp training that the driver has attended;

(f) a regular daily rest period of at least eleven hours must be taken immediately following the end of each weekend training session and at the end of each period of annual camp training;

(g) a regular weekly rest period of at least forty-five hours must be taken no later than the end of the sixth day following the end of the day on which a weekend training session or, as the case may be, a period of annual camp training ends.

(4) In this regulation—

"Cadet Corps" means any of the following forces of the Crown—

(a) the Combined Cadet Force;

(b) the Sea Cadet Corps;