STATUTORY RULES OF NORTHERN IRELAND

2001 No. 103

EUROPEAN COMMUNITIES
ROAD TRAFFIC AND VEHICLES

The Community Drivers' Hours (Foot-and-Mouth Disease) (Temporary Exception) Regulations (Northern Ireland) 2001

Made - - - -	*9th March 2001*
Coming into operation	*10th March 2001*

The Department of the Environment, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the regulation and supervision of working conditions of persons engaged in road transport, in exercise of the powers conferred by that section and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Drivers' Hours (Foot-and-Mouth Disease) (Temporary Exception) Regulations (Northern Ireland) 2001 and shall come into operation on 10th March 2001.

Interpretation

2.—(1) In these Regulations—

"agricultural product" means products of—

(a) the soil;

(b) dairy farming;

(c) the breeding and keeping of livestock; and

(d) poultry farming,

and products of first-stage processing directly relating to such products;

"agricultural purpose" includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land and meadow land, and the use

(**1**) S.I. 1975/1707
(**2**) 1972 c. 68

of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes;

"the Council Regulation" means Council Regulation (EEC) No. 3820/85 of 20th December 1985 on the harmonisation of certain social legislation relating to road transport(**3**);

"farm" means land which is occupied for agricultural purposes, including any dwelling-house or other building occupied by the same person for the purpose of farming the land;

"feeding stuff" means—

(a) a product of vegetable or animal origin in its natural state (whether fresh or preserved);

(b) a product derived from the industrial processing of such a product; or

(c) an organic or inorganic substance, used singly or in a mixture (and whether or not containing additives),

for oral feeding to animals which, or kinds of which, are in particular kept for the production of food, skins or fur or for the purpose of their use in the farming of land;

"fertiliser" means a fertiliser used for the cultivation of crops or plants of any description, including trees;

"fuel" includes any substance used as a source of heat or power;

"grain" includes wheat, maize, oats, rye, barley, rice, pulses, seeds and processed forms thereof;

"livestock" includes cattle, horses, asses, mules, hinnies, sheep, pigs, goats, poultry, deer and, while in captivity, pheasants, partridges and grouse;

"vehicle", whether laden or not, has the same meaning as "vehicles" in the Council Regulation.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Temporary exceptions

3.—(1) Pursuant to Article 13(2) of the Council Regulation until 8th April 2001, and in order to meet the exceptional circumstances occasioned by the outbreak of foot-and-mouth disease in Northern Ireland, or the effects or consequences of such exceptional circumstances, any time spent driving a vehicle for the purpose of—

(a) the collection or delivery to or from a farm of agricultural products, fertiliser, fuel, disinfectants, herbicides and pesticides; or

(b) the movement of livestock; or

(c) the transport of feeding stuff and grain,

shall not be taken into account for the purposes of Article 6(2) of that Regulation.

(2) In relation to the driving of a vehicle in the exceptional circumstances and for the purposes mentioned in paragraph (1), the Council Regulation shall have effect as if—

(a) in Article 6, paragraph 1 first sentence, for the reference to "nine hours" there were substituted "ten hours" and the second sentence of that paragraph were deleted; and

(b) in Article 8, paragraph 3 first sentence, for the reference to "45 consecutive hours" there were substituted "24 consecutive hours" and the remainder of that paragraph were deleted.

(**3**) O.J. No. L370, 31.12.85, p. 1
(**4**) 1954 c. 33 (N.I.)