1988 No. 297

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) (Amendment) Regulations (Northern Ireland) 1988

Made . . . . . *11th August 1988*

Coming into operation . . *26th September 1988*

The Department of the Environment, being a Department designated(**a**) for the purpose of section 2(2) of the European Communities Act 1972(**b**) in relation to the regulation of the type, description, construction or equipment of vehicles and the regulation and supervision of working conditions of persons engaged in road transport, in exercise of the powers conferred by that section, and in exercise of the powers conferred on it by Articles 83 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**c**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) (Amendment) Regulations (Northern Ireland) 1988 and shall come into operation on 26th September 1988.

Regulations amended

2. The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 1987(**d**) are amended as follows—

(1) For regulation 4 substitute—

"*Exemptions from the Community Drivers' Hours Regulation*

4.—(1) Subject to paragraph (3) 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, etc.) in respect of any vehicle falling within a description specified in Part I of the Schedule.

(2) Pursuant to Article 13(2) of the Community Drivers' Hours Regulation, exemption is granted from all the provisions of that

(**a**) S.Is. 1972/1811 and 1975/1707
(**b**) 1972 c. 68
(**c**) S.I. 1981/154 (N.I. 1)
(**d**) S.R. 1987 No. 218

Regulation, except Article 5, in respect of any vehicle falling within a description specified in Part II of the Schedule.

(3) The exemption in paragraph (1) shall not apply to vehicles specified in paragraphs 2, 8, 9 and 10 in Part I of the Schedule where they are operating on cross-border journeys between Northern Ireland and the Republic of Ireland.''.

(2) For regulation 6 substitute—

''*Exemptions from the Community Recording Equipment Regulation*

6.—(1) Subject to paragraph (3) 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 of a description specified in Part I of the Schedule.

(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; and

(*b*) any vehicle which is being used for collecting sea coal.

(3) The exemption in paragraph (1) shall not apply to vehicles specified in paragraphs 2, 8, 9 and 10 in Part I of the Schedule where they are operating on cross-border journeys between Northern Ireland and the Republic of Ireland.''.

(3) (*a*) for the heading to the Schedule substitute—

''SCHEDULE (see regulations 4 and 6)

Exempted Vehicles

PART I'';

(*b*) for paragraph 10(2) of the Schedule substitute—

''(2) A vehicle does not fall within sub-paragraph (1) if the vehicle or any trailer or semi-trailer drawn by it is being used for the carriage of goods—

(*a*) for hire or reward; or

(*b*) for or in connection with any trade or business;'' and

(*c*) after paragraph 11 of the Schedule add—

''PART II

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

13.—(1) Any privately operated vehicle which is by virtue of its construction and equipment suitable for carrying passengers and which on the occasion on which it is being driven—

(*a*) is a vintage vehicle;

(*b*) is not carrying more than 9 passengers including the driver;