1987 No. 218

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

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

Made	*11th May 1987*
Coming into operation . .	*8th June 1987*

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) Regulations (Northern Ireland) 1987 and shall come into operation on 8th June 1987.

Interpretation

2.—(1) In these Regulations—

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

"the Community Recording Equipment Regulation" means Council Regulation (EEC) No. 3821/85 of 20th December 1985 on recording equipment in road transport(**e**); and

"permissible maximum weight" has the same meaning as in Article 19 of the Road Traffic (Northern Ireland) Order 1981.

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

(**a**) S.I.s 1972/1811 and 1975/1707
(**b**) 1972 c. 68
(**c**) S.I. 1981/154 (N.I. 1)
(**d**) O.J. No. L370/1 of 31.12.85
(**e**) O.J. No. L370/8 of 31.12.85
(**f**) 1954 c. 33 (N.I.)

Revocation

3. The Community Road Transport Rules (Exemptions) Regulations (Northern Ireland) 1979(**a**), the Community Road Transport Rules (Exemptions) (Amendment) Regulations (Northern Ireland) 1980(**b**), the Community Road Transport Rules (Exemptions) (Amendment No. 2) Regulations (Northern Ireland) 1980(**c**), and the Community Road Transport Rules (Exemptions) (Amendment) Regulations (Northern Ireland) 1981(**d**) are revoked.

Exemptions from the Community Drivers' Hours Regulation

4.—(1) Subject to paragraph (2) 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 of a description specified in the Schedule.

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

Supplementary provisions relating to the Community Drivers' Hours Regulation

5. Pursuant to Article 6(1) of the Community Drivers' Hours Regulation the application of the fourth sub-paragraph of that Article shall be extended to national passenger services other than regular passenger services.

Exemptions from the Community Recording Equipment Regulation

6.—(1) Subject to paragraph (2) 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 the Schedule.

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

Application of the Community Recording Equipment Regulation

7.—(1) Pursuant to Article 3(4) of the Community Recording Equipment Regulation that Regulation shall apply (notwithstanding the exception in Article 3(1)) to vehicles used for the carriage of postal articles on national transport operations except—

(*a*) vehicles which have a permissible maximum weight which does not exceed 3.5 tonnes; and

(*b*) vehicles which are being used by the Post Office in connection with the carriage of letters.

(2) This regulation shall not have effect—

(*a*) before 1st April 1988 in relation to vehicles which have a permissible maximum weight of 7.5 tonnes or more; or

(**a**) S.R. 1979 No. 121
(**b**) S.R. 1980 No. 83
(**c**) S.R. 1980 No. 458
(**d**) S.R. 1981 No. 414

(*b*) before 1st January 1990 in relation to vehicles which have a permissible maximum weight which exceeds 3.5 tonnes but which is less than 7.5 tonnes.

(3) In paragraph (1)(*b*) "letters" has the same meaning as in the Post Office Inland Post Scheme 1979.

Sealed with the Official Seal of the Department of the Environment on 11th May 1987.

(L.S.) *Trevor Pearson*
Assistant Secretary