1987 No. 217

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

Passenger and Goods Vehicles (Recording Equipment) (Amendment) 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 56(5), 58(1), 63 and 83 of the Road Traffic (Northern Ireland) Order 1981(**c**), and by section 56(1) and (5) of the Finance Act 1973(**d**), and of all other powers enabling it in that behalf, and with the consent of the Department of Finance and Personnel(**e**) as regards regulation 3(5), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Passenger and Goods Vehicles (Recording Equipment) (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 8th June 1987.

Interpretation

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

Regulations amended

3. The Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1979(**g**) shall be amended as follows:

(1) (*a*) In regulation 3(1) (interpretation)—

(i) for the definition of "the Community Recording Equipment Regulation" there shall be substituted—

(a) S.I.s 1972/1811 and 1975/1707
(b) 1972 c. 68
(c) S.I. 1981/154 (N.I. 1)
(d) 1973 c. 51
(e) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3
(f) 1954 c. 33 (N.I.)
(g) S.R. 1979 No. 443; relevant amending regulations are S.R. 1984 No. 199

" "the Community Recording Equipment Regulation" means Council Regulation (EEC) No. 3821/85 of 20th December 1985 on recording equipment in road transport(**a**) as read with the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 218);" and

(ii) in the definition of "record sheet" for "Article 18(2)" there shall be substituted "Article 16(2)".

(*b*) In regulation 4 (installation and use of recording equipment)—

(i) in paragraphs (1)(*c*), (4)(*c*) and (5), for "Articles 15 to 17" there shall be substituted "Articles 13 to 15";

(ii) in paragraph (3)(*b*), for "Article 18(2)" there shall be substituted "Article 16(2)";

(*c*) In regulation 7(2) (records, etc., produced by equipment may be used in evidence)—

for "Article 17(2) or (3) or 18(2)" there shall be substituted "Article 15 or 16(2)".

(*d*) In regulation 9(1)(*a*) (inspection of recording equipment and record sheets)—

for "Article 17(5)" there shall be substituted "Article 15(7)".

(2) In regulations 5 (provisions supplementary to regulation 4) and 7(2) (records, etc., produced by equipment may be used in evidence) — for the words "crew member" where they appear there shall be substituted the word "driver".

(3) Regulation 6 (period of retention of records by crew members) shall be deleted.

(4) In regulation 10 (installation and repair of recording equipment, checks and inspections)—

(*a*) In sub-paragraph (1)(*a*) — for "Article 14" there shall be substituted "Article 12".

(*b*) after paragraph (2) there shall be inserted—

"(2A) (*a*) An approval or nomination issued before 1st February 1988 shall cease to have effect on that date;

(*b*) An approval or nomination issued from 1st February 1988 shall expire on 31st January next following and thereafter for successive periods so ending.".

(*c*) for the first line of paragraph (3) there shall be substituted — "Conditions referred to in paragraph (2) may relate to —".

(5) For regulation 11 (fee payable for granting approval) there shall be substituted—

"*Fee for approval or renewal of approval of fitters and workshops*

11. The fee to be paid to the Department for—

(a) O.J. No. L370/8 of 31.12.85