STATUTORY INSTRUMENTS

1977 No. 312

ROAD TRAFFIC

The Community Drivers' Hours Rules (Deferment of Operation) Regulations 1977

Made - - - -	25*th February* 1977
Laid before Parliament	28*th February* 1977
Coming into Operation	1*st March* 1977

The Secretary of State for Transport, being a Minister designated **(a)** for the purposes of section 2(2) of the European Communities Act 1972**(b)** 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, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 1st March 1977 and may be cited as the Community Drivers' Hours Rules (Deferment of Operation) Regulations 1977.

2.—(1) In these Regulations "the Commission decision" means the decision of the Commission of the European Communities (taken on 23rd February 1977)**(c)** on an application to the Commission made by the United Kingdom Government under Article 135 of the Act annexed to the Treaty relating to the accession of the United Kingdom to the European Communities **(d)** for authorisation to take protective measures with respect to the application of certain provisions of Council Regulation (EEC) No. 543/69**(e)** to national transport operations in the United Kingdom on and after 1st March 1977.

(2) Any reference in these Regulations to any enactment or instrument is a reference to that enactment or instrument as amended by or under any other enactment or instrument.

(3) The Interpretation Act 1889**(f)** shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3.—(1) Pursuant to the Commission decision the following provisions of Council Regulation (EEC) No. 543/69 (which relates to the harmonisation of certain social legislation relating to road transport and the application of which in relation to national transport operations in the United Kingdom was, in accordance with Annex VII to the Act of Accession, as adjusted by Council decision of 1st January 1973**(g)**, postponed until 1st January 1976 and was by

(a) S.I. 1975/1707 (1975 III, p. 5814).
(b) 1972 c. 68.
(c) O.J. No. L
(d) Cmnd 4862.
(e) O.J. No. 167 of 20.3.72 (p. 11).
(f) 1889 c. 63.
(g) O.J. No. L2, 1.1.1973 (p. 1).

previous decisions of the Commission (Nos. 76/208/EEC and 76/587/EEC) taken respectively on 22nd December 1975(a) and 23rd June 1976(b) further postponed until 28th February 1977) that is to say, the provisions of Articles 6 to 12 inclusive (which relate to lengths of journey, driving periods and rest periods) and of Articles 14 and 15 (which relate to control procedures) shall not have effect in relation to national transport operations in the United Kingdom during the period beginning on 1st March 1977 and ending on 31st December 1977.

(2) During the period mentioned in paragraph (1) above the provisions of—

(*a*) Part VI of the Transport Act 1968(c) in their application to national transport operations in Great Britain, and

(*b*) Part IV of the Road Traffic Act (Northern Ireland) 1970(d) (so far as relating to hours of driving and rest periods for drivers of goods vehicles or public service vehicles), in their application to national transport operations in Northern Ireland,

shall continue to have effect in the same manner and to the same extent as they had effect immediately before 1st March 1977.

William Rodgers,
Secretary of State for Transport.

25th February 1977.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations implement the decision of the Commission of the European Communities authorising the United Kingdom Government to take protective measures with respect to the application to national transport operations on and after 1st March 1977 of certain provisions of Council Regulation (EEC) No. 543/69 relating to hours and conditions of work of drivers in the road transport industry. During the period from 1st March 1977 to 31st December 1977 the effect of Articles 6 to 12 (inclusive) and of Articles 14 and 15 of the Council Regulation is suspended in relation to national transport operations. During that period Part VI of the Transport Act 1968 (which relates to drivers' hours) and Part IV of the Road Traffic Act (Northern Ireland) 1970 (so far as relating to drivers' hours) will continue to have effect in relation to such operations in the same manner as they had effect immediately before 1st March 1977. These Regulations thus continue till 31st December 1977 the deferment provided for in the Community Drivers' Hours Rules (Deferment of Operation) Regulations 1975 (S.I./2226) and the Community Drivers' Hours Rules (Deferment of Operation) Regulations 1976 (S.I./998).

(a) O.J. No. L41, 17.2.1976 (p. 11).
(b) O.J. No. L191, 15.7.76 (p. 23).
(c) 1968 c. 73.
(d) 1970 c. 2 (N.I.).

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