EXPLANATORY MEMORANDUM TO

THE VEHICLE DRIVERS (CERTIFICATES OF PROFESSIONAL COMPETENCE) (AMENDMENT) REGULATIONS 2024

2024 No. [XXXX]

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Guy Opperman MP, Parliamentary Under Secretary at the Department for Transport, can confirm that this Explanatory Memorandum meets the required standard.

2.2 Rosalind Wall, Director of Motoring and Freight, at the Department for Transport can confirm that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Duncan Russell at the Department for Transport telephone: 07866 012797 or email: freight@dft.gov.uk can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument makes provision for changes to the ways in which people can renew or regain the Driver Certificate of Professional Competence ("DCPC"). The DCPC is a qualification that is required for most professional driving of goods vehicles with a maximum authorised mass of more than 3.5 tonnes or vehicles with more than eight passenger seats. The DCPC qualification was introduced further to European Union ("EU") legislation and entitles the holder to drive professionally on national and international journeys. This qualification is referred to as the International DCPC ("I-DCPC") in this document. This instrument amends the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007[1] ("the 2007 Regulations").

4.2 The DCPC is obtained initially through tests and then renewed through completing training periodically. This instrument introduces a national alternative to the training required for the periodic renewal of the DCPC and provides an alternative option for eligible drivers to rejoin the profession after a gap in holding the qualification. The completion of these new training routes will enable drivers to drive professionally within the United Kingdom ("UK") only. The changes are intended to increase flexibility and choice for those renewing or looking to regain a DCPC qualification.

[1] https://www.legislation.gov.uk/uksi/2007/605/contents.

4.3 This instrument also makes updates to the current provisions, for example cross-references are now made to provisions in the UK-EU Trade and Cooperation Agreement[2] ("TCA") instead of Directive 2003/59/EC[3] ("the Directive"). The updates also ensure that the 2007 Regulations better reflect the current practice of the competent authority.

Where does the legislation extend to, and apply?

4.4 The extent of this instrument (that is, the jurisdictions which the instrument forms part of the law of) is England and Wales, Scotland and Northern Ireland. Certain consequential amendments, and the provisions relating to appeals in new regulations 6A and 6B, are specific to either Great Britain or Northern Ireland.

4.5 The territorial application of this instrument (that is the jurisdictions in which the instrument produces a practical effect) is England and Wales, Scotland and Northern Ireland. Certain consequential amendments, and the provisions relating to appeals in new regulations 6A and 6B, are specific to either Great Britain or Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The UK experienced acute lorry, bus and coach driver shortages during 2021, leading to significant disruption to critical supply chains. The I-DCPC requirements, which are set in legislation and therefore need Government intervention to change, contributed towards the shortage. Aspects of the operation of the periodic training requirements, including for the return to professional driving, were identified as excessively burdensome. The issue was also subsequently raised in responses to the review into the I-DCPC, which the Government launched in 2021, and to the consultation in 2023. The Government has therefore considered these views and whether the training requirements for the I-DCPC qualification might act as a barrier to drivers entering into, and remaining in, the sector. The review and consultation outcomes are detailed in section 7 and have informed the reforms being taken forward.

5.2 This instrument amends the requirements related to how drivers of certain road vehicles for the carriage of goods or passengers can periodically renew or regain the DCPC qualification. This instrument creates a new national periodic training route and a national return to driving course for drivers re-entering the occupation. These reforms are further aimed at reducing the likelihood of driver shortages in the future. This instrument also updates the 2007 Regulations to increase clarity and better reflect the current practice of the competent authority.

5.3 Section 1 of Part B of Annex 31, and Appendices 31-B-1-1 and 31-B-1-2, to the TCA set out requirements for the I-DCPC. Drivers undertaking international journeys as specified in the TCA must hold an I-DCPC, which complies with those requirements. Drivers can choose to renew their I-DCPC qualification by undertaking the periodic training which was available prior to this instrument, and continues to be available. The I-DCPC qualification entitles the holder to drive professionally in the UK and internationally, including in the EU. Alternatively, drivers can choose to undertake the new national periodic training route which results in a DCPC which entitles the holder

[2] https://www.gov.uk/government/publications/ukeu-and-eaec-trade-and-cooperation-agreement-ts-no82021. The TCA can also be inspected (on reasonable notice) free of charge by contacting the Treaty Enquiries Service, telephone: +44 (0)20 7008 1109.

[3] https://www.legislation.gov.uk/eudr/2003/59/contents.

to drive in the UK only, which is referred to as the National DCPC ("N-DCPC") in this document.

What was the previous policy, how is this different?

5.4 Previously, the only option for drivers in scope was to complete 35 hours of periodic training every five years to maintain their I-DCPC and, if they previously held an I-DCPC which has lapsed, 35 hours of training must be completed before they could begin driving professionally again. For the I-DCPC, the duration of training courses must be at least 7 hours, which can be split into shorter sessions to be completed over two consecutive days.

5.5 **Introduction of a N-DCPC:** The policy now provides for two tiers of DCPC, firstly the I-DCPC option described above, which meets the TCA requirements and is necessary for UK-based drivers operating within the EU, and secondly the N-DCPC for drivers operating within the UK only. The new N-DCPC provisions have the same or similar objectives as those for I-DCPC, which are to improve road and driver safety, including during operations carried out by the driver while the vehicle is stopped, and to raise the standard of the profession which contributes to the recruitment and retention of drivers. The periodic training for the N-DCPC is the same as that for the I-DCPC, other than in the areas highlighted below in paragraphs 5.6 to 5.7. If the training for the N-DCPC fully complies with the TCA requirements, it will be treated as training which counts towards the I-DCPC qualification.

5.6 **National periodic training (minimum course lengths):** The periodic training for the N-DCPC differs to the current training because the minimum course length is reduced from 7 to 3.5 hours. Training courses for the N-DCPC may also be conducted over separate non-consecutive days. These changes will allow drivers to have greater flexibility in how they do their periodic training, with the aim of increasing the attractiveness of the sector and reducing burdens on small and medium-sized enterprises.

5.7 **E-learning within national periodic training:** The requirements for national periodic training will enable more, and more flexible, e-learning in training courses. Drivers may undertake a maximum of 12 hours of e-learning within the 35 hours periodic training required. For the I-DCPC, e-learning is undertaken during the 7-hour course of which it is a part. The implementation of this in practice means that e-learning is restricted to a maximum of 2 hours within each 7-hour course. Within national periodic training for the N-DCPC, due to the shorter minimum course length, it is more feasible to detach e-learning from when the trainer-led courses are delivered, which will allow for more e-learning during the national periodic training course. The maximum amount of e-learning within the 35 hours of training for the N-DCPC will, as with the I-DCPC, be 12 hours.

5.8 **Introduction of an accelerated return pathway:** For drivers who previously held a DCPC which has lapsed by more than 60 days but not more than two years, an accelerated re-entry pathway is being introduced known as the national return to driving course. Previously, such drivers had to complete 35 hours of periodic training before they could return to professional driving, but these changes will provide an alternative national route which allows eligible drivers to complete a 7-hour national return to driving course. This course will provide training that is compliant with the requirements in the TCA. Completing this course will allow the driver to drive professionally within the UK for one year. If the driver then completes a further 28 hours of training within one year of completing the national return to driving course, they will obtain a N-DCPC, if any of that training was through the new national

training route,[4] or an I-DCPC if they followed the TCA-compliant training route available. Whichever is obtained, it will be valid for five years from the date of completing the national return to driving course.

6. Legislative and Legal Context

How has the law changed?

6.1 The Directive introduced the I-DCPC qualification across the EU. The Directive was transposed into domestic legislation through the 2007 Regulations, using powers under section 2(2) of the European Communities Act 1972.[5] The 2007 Regulations took effect from 10 September 2008, in respect of bus drivers, and 10 September 2009, in respect of lorry drivers. The 2007 Regulations required drivers in scope to hold an I-DCPC, a qualification initially obtained by test and thereafter maintained by 35 hours of periodic training every five years. Drivers who already held the full entitlement to drive a bus and/or lorry on their driving licences before the relevant implementation date, noted above, hold acquired rights and are not required to take the initial CPC test relating to the relevant category of vehicles. Those drivers need to complete 35 hours of periodic training to obtain an I-DCPC.

6.2 This instrument is made in exercise of powers in the Retained EU Law (Revocation and Reform) Act 2023[6] ("the 2023 Act"), including those under sections 12, 13, 14(2) and 20(1). Section 12 permits the Government to restate, to any extent, secondary assimilated law and section 13 permits that restatement to use different words or concepts, and to make changes to resolve ambiguities, remove doubt, and facilitate improvement in the clarity of the law. Section 14(2) permits revocation and replacement with such provision as the national authority considers appropriate to achieve "the same or similar objectives". The objectives of the N-DCPC are largely the same as for the I-DCPC, set out in paragraph 5.5, but the N-DCPC also increases flexibility for drivers looking to maintain their DCPC and makes it easier for drivers to rejoin the profession. Section 20(1)(b) provides that "a power to make regulations under this Act" also includes the power to make "supplementary, incidental, consequential, transitional, transitory or saving provision".

6.3 This instrument also uses powers in the European Union (Future Relationship) Act 2020[7] to change cross-references, in the 2007 Regulations, from the Directive to the equivalent goods vehicle provisions of the TCA. Sections 12 and 14(2) of the 2023 Act are being relied on to modify the TCA provisions to cover buses as well.

6.4 This instrument replaces regulations 6 to 9, 12, 13 and 14A of the 2007 Regulations. Regulation 6 of the 2007 Regulations provided the process for a person to apply for approval to provide training courses, which in new regulation 6, also includes national periodic training courses and national return to driving courses. New regulation 7 provides that training providers must also notify the competent authority, which is the Driver Vehicle Standards Agency[8] ("DVSA") for Great Britain and the Driver and Vehicle Agency[9] ("DVA") for Northern Ireland, of the completion of a national

[4] This could include 28 hours of national periodic training, or a combination of 28 hours of any national periodic training with any periodic training and/or any Swiss periodic training.
[5] https://www.legislation.gov.uk/ukpga/1972/68/enacted.
[6] https://www.legislation.gov.uk/ukpga/2023/28/contents/enacted.
[7] https://www.legislation.gov.uk/ukpga/2020/29/contents/enacted.
[8] https://www.gov.uk/government/organisations/driver-and-vehicle-standards-agency.
[9] https://www.nidirect.gov.uk/contacts/driver-vehicle-agency-dva-northern-ireland.

periodic training course and national return to driving course, as well as the periodic training course.

6.5 This instrument inserts new regulations 7A and 7B which prescribe requirements for national periodic training and national return to driving courses. Regulation 7B provides for the 7-hour national return to driving course discussed at paragraph 5.8.

6.6 Other regulations have been replaced or amended in the 2007 Regulations to ensure that those Regulations provide for the introduction of the N-DCPC. This includes the introduction of specific provisions regarding the issuing of a national driver qualification card, which evidences that a driver has obtained a N-DCPC or completed a national return to driving course.

6.7 There have also been changes made to increase the clarity of the 2007 Regulations and ensure that current practice is reflected in the legislation. These changes include ensuring the regulations related to the issue and application for a driver qualification card are in line with practice, for example by prescribing the validity period based on the circumstances in which the person obtained the I-DCPC and requiring that at least 7 hours of training must be undertaken in the UK. There are also changes to provide for the exchange of an I-DCPC obtained in a non-EU EEA State, Gibraltar or Switzerland for a driver qualification card issued in the UK. The 2007 Regulations now provide the discretion for the competent authority to set a start date from which the approval period under regulation 6 runs. To note, the fee levels for I-DCPC have been maintained for any provisions related to the N-DCPC.

6.8 This instrument is being made following the UK's exit from the EU, which has provided an opportunity to make changes to reflect domestic priorities. The requirements under the Directive were largely replicated in the TCA. Therefore, amendments have been made, including to definitions in the 2007 Regulations, to refer to the TCA rather than the Directive. The provisions referred to in the TCA apply to goods vehicles therefore, to ensure the requirements in the TCA apply to buses and coaches as well, this instrument makes modifications to the relevant TCA provisions. The decision to refer to the TCA also required amendments to ensure an I-DCPC obtained in a non-EU EEA State (Norway, Iceland and Liechtenstein) or Gibraltar could be recognised in the UK, as well as one obtained in a member State. The UK also continues to recognise an I-DCPC obtained in Switzerland.

Why was this approach taken to change the law?

6.9 This approach was taken to change the law because professional standards requirements for lorry, bus and coach drivers are defined in some detail in regulations and thus cannot be changed by other means. The 2023 Act provides the power to restate, revoke, replace or reform secondary assimilated law under sections 12 and 14. The 2023 Act provides powers to implement the reforms before a spike in DCPC qualification renewals in autumn 2024, which is 15 years since the introduction of DCPC for lorries. The provisions related to the national training route for the N-DCPC will come into force 21 days after this instrument is made and the provisions related to the national return to driving course will come into force in February 2025.

7. Consultation

2021 Review Outcome

7.1 A review of the DCPC took place in 2021/22[10] because of driver shortages and the UK leaving the EU. The review involved, among others, representatives from the road freight and passenger transport industries, the Traffic Commissioners for Great Britain, DCPC training organisations, DVSA and DVA, as well as drivers and operators.

7.2 The review was undertaken by the Department for Transport ("DfT") in reliance on three main sources of data: (i) past reviews of the DCPC undertaken by the European Commission and within the UK Government; (ii) four stakeholder forum sessions culminating in written submissions being provided to DfT; and (iii) surveys. Surveys were circulated to obtain views on, namely: what measures would encourage drivers to maintain their qualification, the length of periodic training modules, the prevalence of e-learning and how returning drivers should be dealt with. Surveys were provided to drivers, operators and DCPC training providers and DfT received approximately 1,000, 4,100 and 600 responses respectively.

7.3 A key conclusion was that DCPC would benefit from reform, with the most important reforms requiring legislative change and therefore government intervention. This was demonstrated in the review by indicative surveys supplied to DfT, including from the Road Haulage Association, an industry body representing the interests of drivers and operators, in which 62% of respondents sought some kind of reform to DCPC.

7.4 The findings of the surveys, in conjunction with other conclusions from the review, led to the following proposals on the types of reforms, which require legislative change. They include: (i) the introduction of a 'pass/fail' test for periodic renewals of the qualification; (ii) providing more flexibility around training course lengths by removing the requirement that training courses must be 7 hours long or, where split, including where e-learning is involved, completed over two consecutive days; (iii) reducing the training burden on those looking to return to professional vocational driving; (iv) introducing the ability to grant short term exemptions and extensions in urgent situations.

Summary of consultation outcome and methodology

7.5 Following this review, the Government launched a consultation to understand the reforms to DCPC that would encourage drivers to remain in, or join, the sector to avoid future driver shortages. These consultation responses helped to inform the reforms that are being taken forward.

7.6 The consultation was held from 2 March to 27 April 2023 and focused on how effectively the qualification was meeting its stated aims, and the appetite for possible reforms to DCPC, for which six proposals were included. The six proposals, and their responses, were:

(i) **The introduction of a periodic test as an alternative to periodic training**: The majority (53%) of respondents supported this reform;

[10] https://www.gov.uk/government/publications/driver-certificate-of-professional-competence-review-final-report/driver-certificate-of-professional-competence-review-final-report. Copies can be obtained free of charge, on request from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR email: freight@dft.gov.uk or telephone: +44(0)300 330 3000.

(ii) **Reforms to periodic training (minimum course lengths):** Removal of minimum requirements around training course lengths i.e. to be a minimum of 7 hours long, or when split, completed over 2 consecutive days. The majority (51%) of respondents supported this reform. Proposals for reformed training centred on these two reforms as well as e-learning;

(iii) **Reforms to e-learning within periodic training (de-coupling of e-learning from trainer led courses):** The majority (55%) of respondents felt that proposed changes to e-learning would increase the likelihood of taking a course that has an e-learning component. 43% of respondents thought they would help to retain drivers and 39% thought they would attract new drivers;

(iv) **Introduction of an accelerated return pathway:** The introduction of a new regime for drivers seeking re-entry to the sector. The majority (74%) of respondents supported this reform;

(v) **The ability to grant short term extensions and exemptions in exceptional circumstances**: When asked if the proposed extension period of 12 months seemed appropriate, 63% of respondents said "yes". When asked if the proposed maximum exemption period of 3 months seemed appropriate, 60% of respondents said "yes"; and

(vi) **The formation of an exchange and recognition scheme for non-UK approved professional drivers (beyond the existing arrangements) and the introduction of an electronic driver qualification card in place of the physical one:** The majority (51%) of respondents supported the creation of an exchange scheme for non-UK qualifications, whereas 32% did not. The majority (53%) also supported the creation of a recognition scheme for the same qualifications, 26% did not. The introduction of an electronic driver qualification card was supported by the majority (57%) of respondents.

7.7 The consultation received general support for reforms, with 48% of all respondents feeling DCPC should be reformed, 12% believing it should remain the same and 39% thinking it should be abolished.

7.8 A total of 1,190 consultation questionnaire responses were received, as well as 16 position papers and 177 emails. DfT's response, including detailed analysis, can be viewed on gov.uk[11] and was first published on 11 December 2023.

7.9 This policy is reserved in Scotland and Wales. Devolved administrations were consulted and no objections were raised.

7.10 As the policy is devolved in Northern Ireland, the Department for Infrastructure in Northern Ireland was consulted on a draft of the instrument before it was laid in Parliament, and the UK Government sought formal consent to include Northern Ireland in the legislation. Northern Ireland officials provided this consent and agreed to take forward the reforms administratively.

7.11 The approach taken does not reduce any rights, safeguards or equality of opportunity protections that are in place in relation to the Northern Ireland Protocol included in the EU-UK Withdrawal Agreement[12] or the Windsor Framework.[13]

[11] https://www.gov.uk/government/consultations/driver-certificate-of-professional-competence-dcpc-changes. Copies can be obtained free of charge, on request from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR email: freight@dft.gov.uk or telephone: +44(0)300 330 3000.
[12] https://www.legislation.gov.uk/eut/withdrawal-agreement/contents/adopted.
[13] https://www.gov.uk/government/publications/the-windsor-framework.

7.12 This instrument takes forward the reforms connected with the consulted topics of reforms to the minimum course lengths in periodic training, reforms to e-learning in periodic training and the introduction of an accelerated return pathway (proposals (ii) to (iv) above). As noted in the consultation response document, there will be further consultation about the introduction of a periodic test as an alternative to periodic training. The proposals related to short term extensions and exemptions, exchange and recognition of foreign DCPCs (in addition to those already dealt with in the 2007 Regulations) and electronic cards will be kept under review and considered for inclusion in future legal measures.

8. Applicable Guidance

8.1 Guidance related to the reforms introduced by this instrument has been prepared in conjunction with DVSA, DVA and other stakeholders to help drivers and operators understand the reforms to DCPC. Guidance is published by DVSA for Great Britain[14] and by DVA for Northern Ireland[15] and is updated as changes to the legislation come into force.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because DfT estimates that the equivalent annual net direct cost to business is £1.8 million, which is less than the £5 million threshold. Instead, a De Minimis Assessment was prepared, and is summarised below.

Rationale

9.2 A shortage of professional lorry, bus and coach drivers in the UK became an acute issue during 2021. The I-DCPC requirements are unnecessarily burdensome for drivers and are a contributory factor to driver shortages. Government intervention is necessary because professional standards requirements for lorry, bus and coach drivers are set in legislation so cannot be changed by other means.

Impact on businesses, charities and voluntary bodies

9.3 There is no significant impact on business, charities or voluntary bodies because, although there are potential costs associated with the creation of a N-DCPC, these should be weighted fairly against the benefits. The direct and monetised costs to businesses and drivers come from familiarisation costs, and time and cost implications of both uploading training hours and increased travelling due to more courses. Excluding familiarisation, these costs to businesses and the public are estimated to be £6.4m per year on average. Despite this, there is a direct monetised benefit to businesses and drivers due to time and costs savings from reduced travel to training locations because of the possibility of undertaking more e-learning under the N-DCPC route, estimated to be £2.4m per year on average. There are further benefits, that are unable to be monetised due to their nature but are nevertheless important, such as

[14] https://www.gov.uk/driver-cpc-training. Copies can be obtained free of charge, on request from DVSA Driver CPC, 1 Unity Square, Queensbridge Road, Nottingham, NG2 1AY, email: cpcre@dvsa.gov.uk or telephone: +44(0)300 123 7721.

[15] https://www.nidirect.gov.uk/information-and-services/driving-living/driver-certificate-professional-competence. Copies can be obtained free of charge, on request from the Department for Infrastructure, Freight and Bus Policy Branch, James House, 2 - 4 Cromac Avenue, Gasworks, Belfast, BT7 2JD, email: FreightandBusPolicy@infrastructure-ni.gov.uk.

increased learner retention and engagement through shorter courses, lower long-term cost of DCPC modules through e-learning content and overall, greater flexibility for drivers and employers resulting in improved attractiveness of the sector. These monetised and unmonetised reforms aim to reduce the overall burden on those in the industry by making the DCPC more flexible and proportionate to maintain for drivers.

9.4 The legislation is unlikely to disproportionately impact small or micro businesses. Those in the industry do not have to incur costs associated with DCPC reforms unless they choose to, and it is expected that they will only choose to incur these costs if the associated benefits would outweigh them.

9.5 There is no significant impact on the public sector as drivers of many public sector vehicles are exempt from the requirement to possess a DCPC qualification.[16]

Risks

9.6 The existence of a N-DCPC alongside the I-DCPC brings potential risks. These include a reduction in the availability of training courses and individuals following the wrong DCPC process for their requirements. This will be mitigated by clear messaging, signposting and guidance on the two DCPC routes, to ensure that drivers understand which course to take for their needs. When we consulted on the proposals to introduce the N-DCPC, road safety was a key consideration identified by stakeholders. While it is difficult to identify evidence to demonstrate that the introduction of the N-DCPC will affect road safety, the training for the N-DCPC does not reduce the total time spent training and allowing shorter 3.5 hour courses as part of that training may, in fact, improve learning outcomes.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is that a post implementation review will be conducted every five years of the regulatory provision in the 2007 Regulations.

10.2 A review clause is included in the 2007 Regulations at new regulation 14A.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

11.1 Section 14 of the 2023 Act contains powers to revoke and replace secondary assimilated law with the caveat, under section 14(5) of the 2023 Act, that no provision may be made "in relation to a particular subject area unless the relevant national authority considers the overall effect of the changes made by it under this section (including changes made previously) in relation to that subject area does not increase the regulatory burden". Under section 14(10) of the 2023 Act, "burden" is defined as including a financial cost, an administrative inconvenience, an obstacle to trade or innovation, an obstacle to efficiency, productivity, or profitability or a sanction (criminal or otherwise) which affects the carrying on of any lawful activity.

11.2 The instrument does not increase the overall regulatory burden. The N-DCPC allows training requirements to be more flexible and gives returning drivers an accelerated pathway back into the sector, meaning that an accumulation of benefits to drivers,

[16] https://www.gov.uk/guidance/driver-cpc-exemptions-examples.

employers and training providers will ultimately improve the attractiveness of the sector. Although there are requisite costs associated with the change, outlined in paragraph 9.3, on balance, as the benefits of a N-DCPC are actualised on the sector, they will outweigh any costs and the changes will ultimately help to address driver shortages by attracting more new drivers into the sector, and retaining existing ones. Furthermore, the instrument maintains the I-DCPC scheme, enabling drivers to continue operating internationally if they want, or need, to do so.

11.3 There are certain changes effected by this instrument which may appear to affect the regulatory burden as it relates to DVSA and DVA, respectively, because the amount and complexity of the provisions has increased. This is particularly the case for the provisions relating to the issue of a driver qualification card. However, whilst on their face the provisions may appear more burdensome, these in fact reflect the current practice for these processes, as set out in paragraph 6.7. Therefore, DfT considers there is no effect on the regulatory burden, as it will not have any impact in practice.

12. European Convention on Human Rights

12.1 The Parliamentary Under Secretary at the Department for Transport has made the following statement regarding Human Rights:

"In my view the provisions of the Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2024 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is made, in part, under section 31 of the European Union (Future Relationship) Act 2020 and, in part, under sections 12, 13, 14 and 20 of the 2023 Act. This instrument therefore relates to the UK's future relationship with the EU as it updates cross-references to refer to the TCA provisions for goods vehicles rather than the Directive. It also relates to the reform of assimilated law in the area of DCPC.