STATUTORY INSTRUMENTS

1970 No. 429

ROAD TRAFFIC

The Drivers' Hours (Goods Vehicles) (Exemptions) (Amendment) Regulations 1970

Made - - -	17*th March* 1970
Laid before Parliament	20*th March* 1970
Coming into Operation	22*nd March* 1970

The Minister of Transport, in exercise of his powers under section 96(10) of the Transport Act 1968(**a**) and of all other enabling powers, and after consultation with representative organisations in accordance with section 101(6) of the said Act of 1968, hereby makes the following Regulations :—

1. These Regulations shall come into operation on 22nd March 1970 and may be cited as the Drivers' Hours (Goods Vehicles) (Exemptions) (Amendment) Regulations 1970.

2. The Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1970(**b**) shall have effect as though in Part II of the Schedule (exemptions from the requirements as to permitted driving time and periods of duty to meet certain special needs), after paragraph 1, there were inserted the following paragraphs :—

"*Carriage of food*

1A. A driver is exempted from the requirements of—	1A. Work done wholly or mainly in connection with the carriage of food.
(*a*) section 96(3) in respect of any working day to which this paragraph applies during which he spends time on duty to meet a special need, subject to the condition that no such day shall exceed 14 hours,	
(*b*) section 96(5) and (6) in respect of any working week to which this paragraph applies during which he spends such time on duty, subject, in the case of the exemption from the requirements of—	

(**a**) 1968 c. 73.

(**b**) S.I.1970/144 (1970 I, p. 627).

(i) section 96(5), to the condition that he is not on duty in that week for periods amounting to more than 66 hours, and

(ii) section 96(6), to the conditions specified in Part III of this Schedule.

The working weeks to which this paragraph applies are—

(*a*) the working week in which Good Friday falls, and

(*b*) the working week in which 1st January falls and the two immediately preceding working weeks ;

and the working days to which this paragraph applies are any which fall wholly or partly within any such working week.

In this paragraph "food" includes milk but does not include—

(*a*) any other form of drink,

(*b*) live animals,

(*c*) fodder or feeding stuffs for animals, or

(*d*) articles or substances used only as drugs.

Carriage of certain meat products

1B. A driver is exempted from the requirements of—

(*a*) section 96(3) in respect of any working day to which this paragraph applies during which he spends time on duty to meet a special need, subject to the condition that no such day shall exceed 14 hours,

(*b*) section 96(5) and (6) in respect of any working week to which this paragraph applies during which he spends such time on duty, subject, in the case of the exemption from the requirements of—

(i) section 96(5), to the condition that he is not on duty in that week for periods amounting in the aggregate to more than 66 hours, and

(ii) section 96(6), to the conditions specified in Part III of this Schedule.

1B. Work done wholly or mainly in connection with the carriage of meat pies, sausages, or cooked or cured meats.

The working weeks to which this paragraph applies are—

(*a*) the working week which immediately precedes that in which the spring bank holiday Monday falls, and

(*b*) the six working weeks which immediately precede the working week in which the summer bank holiday Monday falls;

and the working days to which this paragraph applies are any which fall wholly or partly within any such working week.

In sub-paragraph (*a*) above the expression "bank holiday" means a holiday which is, or is to be observed as, a bank holiday, or a holiday under the Bank Holidays Act 1871(**a**) or the Holidays Extension Act 1875(**b**), either generally or in the particular locality where the journey or part of the journey takes place; and in sub-paragraph (*b*) above the said expression means a holiday which is, or is to be observed as, such a holiday in England and Wales.

Given under the Official Seal of the Minister of Transport the 17th March 1970.

(L.S.)

Fred Mulley,
Minister of Transport.

EXPLANATORY NOTE

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

The Drivers' Hours (Goods Vehicles) (Exemptions) Regulations 1970 provide exemptions subject to conditions from the requirements of section 96(1) to (6) of the Transport Act 1968 (which relate to permitted driving time and periods of duty) to enable drivers of goods vehicles to meet (inter alia) certain special needs. These Regulations amend the said Regulations of 1970 to provide certain exemptions in the case of the carriage of food at certain holiday periods.

(**a**) 1871 c. 17. (**b**) 1875 c. 13.

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