STATUTORY INSTRUMENTS

1978 No. 1938

ROAD TRAFFIC

The Drivers' Hours (Keeping of Records) (Amendment) (No. 2) Regulations 1978

Made - - - -	19*th December* 1978
Laid before Parliament	8*th January* 1979
Coming into Operation	1*st February* 1979

The Secretary of State for Transport, being a Minister designated**(a)** for the purpose of section 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, and also in exercise of the powers conferred by sections 98 and 101(2) of the Transport Act 1968**(c)**, as amended by section 4(1) of, and paragraph 9(2)(*c*) of Schedule 4 to, the European Communities Act 1972 and by section 2(1) of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976**(d)**, and now vested in him**(e)**, and of all other enabling powers, and after consultation with representative organisations in accordance with section 101(6) of the Transport Act 1968, hereby makes the following Regulations:—

1. These Regulations may be cited as the Drivers' Hours (Keeping of Records) (Amendment) (No. 2) Regulations 1978, and shall come into operation on 1st February 1979.

2. The Drivers' Hours (Keeping of Records) Regulations 1976**(f)**, as amended**(g)**, shall be further amended by adding at the end thereof a new Part as follows:—

"PART V—PROVISIONS MODIFYING COMMUNITY RULES IN CASES WHERE THOSE RULES APPLY

Application of Part V

21. This Part of these Regulations applies to the drivers of British passenger vehicles and to the employers of such drivers in cases where the journeys which are made or the work which is done are made or done in the course of national transport operations and are journeys or work to which the Community rules apply, so as to modify the requirements of those rules.

Modified requirements as respects weekly reports—passenger vehicles

22.—(1) In a case where this Part of these Regulations applies it shall not be necessary for the driver to make entries, or for the employer of such driver to cause him to make entries, in the boxes marked "H" and "I" in

(a) S.I. 1975/1707. (b) 1972 c. 68. (c) 1968 c. 73. (d) 1976 c. 3.
(e) S.I. 1970/1681. (f) S.I. 1976/1447. (g) S.I. 1978/1878.

the weekly reports in his drivers' record book (these boxes being respectively the boxes for entry of the time spent on activities of the driver's employment other than driving, and of the aggregate of the time spent on those activities and on driving).

(2) Paragraph 22 in the instructions for the use of the driver's record book (as set out in Schedule 1 to these Regulations) shall be suitably modified in the case of record books issued to drivers for use in the circumstances mentioned in paragraph (1) above, so as to indicate the effect of that paragraph.".

William Rodgers,
Secretary of State for Transport

19th December 1978.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Drivers' Hours (Keeping of Records) Regulations 1976 so as to render it unnecessary for the drivers of British passenger vehicles on national transport operations to enter in the weekly reports in their drivers' record books particulars of the time spent in the course of their employment on activities other than driving. Member States of the EEC are permitted by paragraph 7(*e*) in the Annex to Council Regulation (EEC) No.543/69, as amended by Council Regulation (EEC) No.514/72, (which relate to the hours of work of goods and passenger vehicle drivers and prescribe the form of driver's record book), to sanction such a relaxation.

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