STATUTORY INSTRUMENTS

1975 No. 2036

ROAD TRAFFIC

The Motor Vehicles (Minimum Age for Driving) (Community Rules) Regulations 1975

Made - - - -	8*th December* 1975
Laid before Parliament	10*th December* 1975
Coming into Operation	1*st January* 1976

The Secretary of State for the Environment, 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 the qualifications 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 January 1976 and may be cited as the Motor Vehicles (Minimum Age for Driving) (Community Rules) Regulations 1975.

Suspension in certain circumstances of the Community rules as to the qualifications of persons engaged in road transport

2.—(1) Pursuant to paragraph 5 of Article 5 of Council Regulation (EEC) No. 543/69 of 25th March 1969(**c**) on the harmonisation of certain social legislation relating to road transport the application of the rules laid down in the following provisions of that Article:—

(*a*) paragraph 1 (minimum ages for drivers engaged in carriage of goods), and

(*b*) paragraph 2 (minimum ages for, and other qualifications of, drivers engaged in the carriage of passengers),

are hereby suspended in respect of carriage by road in Great Britain in a case where the driver of the vehicle used for the carriage is resident in the United Kingdom and immediately before 1st January 1976—

(i) holds, or would but for a current disqualification hold, a licence, or

(ii) is entitled, or would but for a current disqualification be entitled, to obtain a licence other than a provisional licence, or having held a provisional licence is entitled to obtain, or would but for a current disqualification, be entitled to obtain a provisional licence, or

(iii) is, by virtue of Regulations under section 84(5) of the Road Traffic Act 1972(**d**), treated, or would but for a current disqualification be treated, as holding a licence,

authorising him to drive motor vehicles of a class which comprises the vehicle used for the carriage.

(**a**) S.I. 1975/1707 (1975 III, p. 5814).
(**b**) 1972 c. 68.
(**c**) O.J. No. 167 of 20.3.72 (p. 11).
(**d**) 1972 c. 20.

(2) In paragraph (1) above—

(*a*) the reference to the driver of a vehicle used for carriage by road is, in a case where that vehicle is a trailer, a reference to the driver of the motor vehicle drawing the trailer;

(*b*) references to a licence are references to a licence granted under Part III of the Road Traffic Act 1972 or, in sub-paragraphs (i) and (ii), under that part of that Act or under the law for the time being in force in Northern Ireland which corresponds to that part of that Act and references to a person being entitled to obtain a licence shall be construed accordingly;

(*c*) references to disqualification are references to disqualification by an order of a Court for holding or obtaining a licence in Great Britain, or, in sub-paragraphs (i) and (ii), in Great Britain or in Northern Ireland;

(*d*) the reference to a class of motor vehicle is a reference to a class or description of such vehicles which falls within a group of such vehicles as defined in Regulation 3 of the Motor Vehicles (Driving Licences) Regulations 1971(**a**), or, as the case may be, the provision of the law for the time being in force in Northern Ireland which corresponds to that provision;

(*e*) expressions which are defined in the Road Traffic Act 1972 have the same meaning as in that Act.

Application to national transport operations of the enforcement provisions for the Community rules as to minimum ages for driving

3. Section 4(4) of the Road Traffic Act 1972 as extended by paragraph 9(1) of Schedule 4 to the European Communities Act 1972 (offence of driving below the permitted age) shall have effect as if the words "on international journeys" were deleted.

John Gilbert

Signed by authority of
the Secretary of State.
8th December 1975.

Minister for Transport,
Department of the Environment.

EXPLANATORY NOTE

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

These Regulations—

(*a*) exercise the right conferred by paragraph 5 of Article 5 of Council Regulation (EEC) No. 543/69 of 25th March 1969 (Official Journal No. 167 of 2.3.72 (p. 11)) to suspend in certain circumstances application of the rules in paragraphs 1 and 2 of that article relating to the minimum ages for, and other qualification of, persons engaged in road transport (Regulation 2); and

(**a**) S.I. 1971/451 (1971 I, p. 1338).

(*b*) amend section 4(4) of the Road Traffic Act 1972 (offence of driving below the permitted age) as extended by paragraph 9(1) of Schedule 4 to the European Communities Act 1972 so that it applies to a contravention of the provisions of the said Council Regulation as to minimum ages for driving as that Regulation applies on and after 1st January 1976 also to national transport operations (Regulation 3).

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