
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 12

**The Drivers' Hours and Tachographs
(Amendment) Regulations (Northern Ireland) 2019**

PART 2

Amendments of primary legislation

Road Traffic (Northern Ireland) Order 1981

2. The Road Traffic (Northern Ireland) Order 1981(1) is amended as follows.
3. In Article 2(2)(2) insert in the appropriate place in alphabetical order—

““AETR” means the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport of 1st July 1970 (as applied by Article 2(3) of the Community Drivers’ Hours Regulation);”
- 4.—(1) Article 81 is amended as follows.

(2) In paragraph (1A)(3) for the words from “he proves” to the end, substitute—
“the person proves—

 - (a) in respect of a contravention of a provision of the Community Drivers’ Hours Regulation(4)—
 - (i) that at the time of the contravention the person was complying with Article 10(1) (distance related payments etc.) and Article 10(2) (organisation of drivers’ work etc.) of the Community Drivers’ Hours Regulation; and
 - (ii) that the person took all reasonable steps to avoid the contravention; or
 - (b) in respect of a contravention of a provision of the AETR(5)—
 - (i) that at the time of the contravention the person was complying with Article 11(1) to (3) of the AETR (organisation of drivers’ work, distance-related payments etc); and
 - (ii) that the person took all reasonable precautions to avoid the contravention.”

(3) In paragraph (1B)(a)(6)—

 - (a) after “Community Drivers’ Hours Regulation” insert “or Article 11(5) of the AETR”;
 - (b) for “that Regulation” substitute “that provision”.

(1) 1981 (NI 1).

(2) Amended by [S.R. 2009/91](#)

(3) Paragraph (1A) was inserted by [S.R. 2009/91](#).

(4) OJ No. L 102, 11.4.2006, p. 1; relevant amending instruments are OJ No. L 300, 14.11.2009, p. 88 and OJ No. L 60, 28.2.2014, p. 1.X.

(5) The AETR is the European Agreement concerning the work of Crews of Vehicles engaged in International Road Transport of 1st July 1970. The AETR can be found in Cmnd 7401, Cmnd 8572, Cmnd 9037, Cm 1776, Cm 3042 and Cm 3135.

(6) Paragraph (1B) was inserted [S.R. 2009/91](#).

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