

## STATUTORY INSTRUMENTS

1986 No. 1458

## ROAD TRAFFIC

**The Drivers' Hours (Harmonisation with Community Rules)  
Regulations 1986***Laid before Parliament in draft**Made* - - - 22nd August 1986*Coming into Operation* 29th September 1986

The Secretary of State for Transport, in exercise of the powers conferred by sections 95(1) and (1A) of the Transport Act 1968(a), and now vested in him (b), and of all other enabling powers, after consultation with representative organisations in accordance with the provisions of section 101(6) of that Act hereby makes the following Regulations, a draft of which has been laid before and approved by a resolution of each House of Parliament pursuant to section 101(3A) of that Act.

*Citation, commencement, interpretation and revocation*

1.—(1) These Regulations may be cited as the Drivers' Hours (Harmonisation with Community Rules) Regulations 1986 and shall come into operation on 29th September 1986.

(2) In these Regulations "the 1968 Act" means the Transport Act 1968.

(3) The Drivers' Hours (Harmonisation with Community Rules) Regulations 1978(c) are hereby revoked.

*Domestic drivers' hours code etc.*

2.—(1) Subject to the provisions of this Regulation, the domestic drivers' hours code shall not apply in relation to any Community driving or work of a driver of a vehicle to which Part VI of the 1968 Act applies.

(2) Paragraphs (3) and (4) below apply where during any working day a driver of a vehicle to which Part VI of the 1968 Act applies spends time both on Community driving or work and on domestic driving or work.

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(a) 1968 c.73; section 95(1) was amended and sections 95(1A) and 101(3A) inserted by the Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c.3), section 2(1).

(b) S.I. 1979/571 and 1981/238.

(c) S.I. 1978/1157.

(3) Any time spent on Community driving or work shall be regarded for the purpose of—

- (a) applying the limits in the domestic drivers' hours code on periods of driving or length of working day; or
- (b) calculating periods of driving for the purposes of section 96(7) of the 1968 Act,

as time spent on domestic driving or, as the case may be, domestic work.

(4) Without prejudice to paragraph (3) above, any time spent on Community driving or work shall not be regarded for the purposes of any of the provisions of the domestic drivers' hours code as constituting or forming part of an interval for rest or an interval for rest and refreshment.

(5) In this Regulation "the domestic drivers' hours code" has the meaning given by section 96(13) of the 1968 Act.

(6) In this Regulation—

- (a) any reference to Community driving or work is a reference to driving or, as the case may be, work to which the applicable Community Rules apply; and
- (b) any reference to domestic driving or work is a reference to driving or, as the case may be, work to which Part VI of the 1968 Act applies and those Rules do not apply.

*Meaning of "working week"*

3.—(1) In subsection (1) of section 103 of the 1968 Act, for the definition of "working week" there shall be substituted the following definition—

" "working week" means, subject to subsection (5) of this section, a week beginning at midnight between Sunday and Monday;".

(2) In subsection (5) of that section, for the words "Saturday and Sunday" there shall be substituted the words "Sunday and Monday".

Signed by authority of  
the Secretary of State.  
22nd August 1986.

*Peter Bottomley,*  
Parliamentary Under-Secretary of State,  
Department of Transport.

## EXPLANATORY NOTE

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

These Regulations revoke and replace the Drivers' Hours (Harmonisation with Community Rules) Regulations 1978. They modify the application of Part VI of the Transport Act 1968, which relates to permitted driving hours and periods of duty, to take account of the operation of Council Regulation (EEC) No. 3820/85 of 20th December 1985 on the harmonisation of certain social legislation relating to road transport (OJ No. L370/1 of 31.12.85).

The principal change from the Regulations of 1978 is that the duty limits of Part VI of the 1968 Act are no longer applied to driving or work to which the Community Regulation applies.

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