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STATUTORY INSTRUMENTS

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**2008 No. 1660**

**The Cross-border Railway Services  
(Working Time) Regulations 2008**

**Weekly rest**

7.—(1) A cross-border worker is entitled every week to an uninterrupted rest period of 24 hours (a “rest day”) in addition to the minimum daily rest entitlement under regulation 3 and any days taken as part of the worker’s entitlement to annual leave.

(2) A cross-border worker is entitled to 104 rest days each leave year, but this paragraph and paragraphs (3) and (5) are subject to paragraph (6).

(3) A cross-border worker is entitled each leave year on at least 24 occasions to take a rest day that is immediately followed by another rest day (a “two-day rest period”), but this is subject to paragraph (4).

(4) If there are more than two consecutive rest days, each rest day only counts towards one two-day rest period.

(5) A cross-border worker is entitled each leave year on at least twelve occasions to take a two-day rest period over a week-end, so that the period includes a part or the whole of a Saturday and a part or the whole of a Sunday.

(6) Paragraphs (2), (3) and (5) apply only to a person who is a cross-border worker throughout a complete leave year that begins after 26th July 2008, but this is subject to paragraphs (8) to (11).

(7) If a leave year of a person who was a cross-border worker on 27th July 2008 begins before that date, but has not ended by that date, the entitlements under paragraphs (2), (3) and (5) apply proportionately to the relevant part year, but this is subject to paragraphs (10) and (11).

(8) If a person’s employment as a cross-border worker begins after 26th July 2008 and part way through a leave year, the entitlements under paragraphs (2), (3) and (5) apply proportionately to the relevant part year, but this is subject to paragraphs (10) and (11).

(9) The “relevant part year” means—

- (a) in paragraph (7), the period beginning on 27th July 2008 and ending when the leave year ends; and
- (b) in paragraph (8), the period beginning on the date that the person’s employment as a cross-border worker begins and ending when the leave year ends.

(10) If applying paragraphs (2), (3) and (5) proportionately would, but for this paragraph, result in an entitlement to a number of rest days or a number of two-day rest periods that is not a whole number, the entitlement is to the number rounded to the nearest whole number, but if the number is exactly half-way between the two nearest whole numbers the number is rounded up.

(11) Paragraphs (7) and (8) apply only if the person is a cross-border worker throughout the relevant part year.