

STATUTORY INSTRUMENTS

1981 No. 1855

ROAD TRAFFIC

**The Community Road Transport Rules (Exemptions)
(Amendment) Regulations 1981***Made - - - - 23rd December 1981**Laid before Parliament 30th December 1981**Coming into Operation 31st December 1981*

The Secretary of State for Transport, being a Minister designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in connection with the regulation and supervision of working conditions 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 31st December 1981 and may be cited as the Community Road Transport Rules (Exemptions) (Amendment) Regulations 1981.

2. In Regulation 5 (Conditional exemption for certain operations for the transport of milk) of the Community Road Transport Rules (Exemptions) Regulations 1978^(c)—

(a) for paragraph (1) there shall be substituted the following paragraph:—

“(1) Pursuant to Article 14a3(b) (power to grant exemptions in relation to the transport of milk) of the Community Drivers’ Ages and Hours of Work Regulation exemption is granted, subject to paragraph (2) below, from that Regulation for national transport operations—

(a) for the transport of milk directly from farms to a dairy or to a reload point, which involves the collection of milk from farms, or

(b) until 31st December 1984, for the transport of untreated milk between reload points and dairies.”; and

(b) in paragraph (2) sub-paragraph (d) shall be deleted.

David Howell,

23rd December 1981.

Secretary of State for Transport.

(a) S.I. 1975/1707.

(b) 1972 c. 68.

(c) S.I. 1978/1158; the relevant amending instrument is S.I. 1980/2018.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations modify the conditional exemption from the Community Drivers' Ages and Hours of Work Regulation (which relates to the ages, and hours and conditions of work of members of crews of vehicles engaged in road transport), as defined in the Community Road Transport Rules (Exemptions) Regulations 1978 for certain operations for the transport of milk conferred by Regulation 5 of those Regulations.

The Regulations enable to be exercised the right conferred upon the United Kingdom by the authorisation by the Commission of the European Communities given in their decision adopted on the 18th December 1981 under Article 14a3 of the Community Drivers' Ages and Hours of Work Regulation upon an application by the United Kingdom.

The effect of the Regulations is to restrict the exemption to national transport operations—

- (a) for the transport of milk directly from farms to a dairy or to a reload point, which involves the collection of milk from farms, or
- (b) for the transport of untreated milk between reload points and dairies.

There is no time limit on the exemption in the case of the transport operations specified in paragraph (a) above and in the case of the transport operations specified in paragraph (b) above the exemption has effect until 31st December 1984, but subject in both cases to the conditions as to driving and rest specified in sub-paragraphs (a), (b) and (c) of Regulation 5(2) of the 1978 Regulations.

The Commission's decision of the 18th December 1981 will be published in the Official Journal of the Communities. The Department of Transport of 2, Marsham Street, London SW1P 3EB, will on request furnish a copy of the decision pending its publication in the Official Journal, and thereafter the Official Journal reference.

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