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STATUTORY INSTRUMENTS

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**2005 No. 639**

**The Road Transport (Working Time) Regulations 2005**

**Periods of availability**

6.—(1) A period shall not be treated as a period of availability unless the mobile worker [<sup>F1</sup>or self-employed driver] knows before the start of the relevant period about that period of availability and its reasonably foreseeable duration.

(2) The time spent by a mobile worker [<sup>F2</sup>or self-employed driver], who is working as part of a team, travelling in, but not driving, a moving vehicle as part of that team shall be a period of availability for that mobile worker [<sup>F2</sup>or self-employed driver].

(3) Subject to paragraph (4) a period of availability shall not include a period of rest or a break.

(4) A period of availability may include a break taken by a mobile worker [<sup>F3</sup>or self-employed driver] during waiting time or time which is not devoted to driving by the mobile worker [<sup>F3</sup>or self-employed driver] and is spent in a moving vehicle, a ferry or a train.

**Textual Amendments**

- F1** Words in reg. 6(1) inserted (11.5.2012) by [The Road Transport \(Working Time\) \(Amendment\) Regulations 2012 \(S.I. 2012/991\)](#), regs. 1, [7\(a\)](#)
- F2** Words in reg. 6(2) inserted (11.5.2012) by [The Road Transport \(Working Time\) \(Amendment\) Regulations 2012 \(S.I. 2012/991\)](#), regs. 1, [7\(b\)](#)
- F3** Words in reg. 6(4) inserted (11.5.2012) by [The Road Transport \(Working Time\) \(Amendment\) Regulations 2012 \(S.I. 2012/991\)](#), regs. 1, [7\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Transport (Working Time) Regulations 2005, Section 6.