
STATUTORY INSTRUMENTS

2019 No. 596

**The Drivers' Hours and Tachographs
(Amendment) (EU Exit) (No. 2) Regulations 2019**

PART 3

Amendments of Northern Ireland secondary legislation

Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996

6. The Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996⁽¹⁾ are amended as follows.

7. Regulation 2(1)(2) is amended as follows—

- (a) insert in the appropriate place in alphabetical order—

““the equivalent EU Regulation” means Regulation (EU) No 165/2014 of the European Parliament and of the Council on tachographs in road transport⁽³⁾ as it has effect in EU law, as amended from time to time;”;
- (b) insert in the appropriate place in alphabetical order—

““the relevant EU type-approval mark”, in relation to recording equipment, means a type-approval mark issued by an EU member State in relation to that type of recording equipment under Article 14 of the equivalent EU Regulation;”;
- (c) insert in the appropriate place in alphabetical order—

““the relevant UK type-approval mark”, in relation to recording equipment, means the mark which is “the relevant type-approval mark” in relation to the marking of that equipment, for the purposes of the Motor Vehicles (Type Approval) Regulations 1980⁽⁴⁾;”;
- (d) in the definition of “the EU Tachographs Regulation”, omit the words from “as read with” to the end;
- (e) in the definition of “the relevant Annexes”—
 - (i) for ““the relevant Annexes” to the EU Tachographs Regulation” substitute ““the relevant technical specifications””;
 - (ii) in paragraph (a)(i) and (ii), for “that Regulation” substitute “the EU Tachographs Regulation”;
 - (iii) for paragraph (b) substitute—

(1) S.R. 1996 No. 145.

(2) Regulation 2 was amended by S.R. 2016 No. 343, S.R. 2006 No. 274, S.R. 2010 No. 23, S.R. 2005 No. 441, S.R. 2005 No. 325, S.R. 2019 No. 12.

(3) OJNo. L 60, 28.2.2014, p. 1.

(4) S.I. 1980/1182, as amended by S.I. 1982/7, S.I. 1986/1501, S.I. 1988/1103 and S.I. 2011/1043. .

- “(b) in the case of a vehicle put into service for the first time on or after that date means—
- (i) Annex IB and Annex II to the EU Tachographs Regulation, except where regulations under Article 11 of that Regulation provide for other detailed provisions to apply instead of those Annexes;
 - (ii) where regulations under Article 11 of the EU Tachographs Regulation provide as mentioned in sub-paragraph (i), the detailed provisions that apply as a result of those regulations;”;
- (f) in the definition of “relevant provision”, in paragraph (a), for the words from “Annex 1B” to the end substitute—
- “(i) where Annex 1B to the EU Tachographs Regulation applies to the vehicle, that Annex;
 - (ii) where Regulations under Article 11 of the EU Tachographs Regulation provide for other detailed provisions to apply instead of Annex 1B, the detailed provisions that apply as a result of those Regulations;”.
- 8.** In regulation 2A(1)(a)(**5**), for “under Article 13” substitute “as required by Article 11A”.
- 9.**—(1) Regulation 3(**6**) is amended as follows.
- (2) In paragraph (1)(a)—
- (a) in paragraph (i), after “EU Tachographs Regulation” insert “or the equivalent EU Regulation”;
 - (b) in paragraph (ii), for “that Regulation (including the relevant Annexes to it)” substitute “the EU Tachographs Regulation (including the relevant technical specifications)”.
- (3) In paragraph (1)(b), at the end insert “or the equivalent EU Regulation”.
- (4) In paragraph (4B), for “a type-approval mark issued under Article 14 of the EU Tachographs Regulation” substitute “the relevant UK type-approval mark or the relevant EU type-approval mark”.
- 10.** In regulation 3B(5)(**7**), in the definition of “appropriate type-approval certificate” —
- (a) in sub-paragraph (a), for paragraph (ii) substitute—
 - “(ii) issued under the equivalent EU Regulation;”;
 - (b) in sub-paragraph (b), in paragraph (ii), for “a contracting third country” substitute “another contracting country”.
- 11.**—(1) Regulation 8(**8**) is amended as follows.
- (2) In paragraph (1)—
- (a) for the words before sub-paragraph (a) substitute “This Regulation applies to— ”;
 - (b) in sub-paragraph (a), for “the approval” substitute “the approval by the Department”;
 - (c) in sub-paragraph (b), for “the approval and nomination” substitute “the approval and nomination by the Department”.
- (3) In paragraph (2), omit “under paragraph (1)”.

(5) Regulation 2A was inserted by [S.R. 2016 No. 343](#).

(6) Regulation 3 was amended by [S.R. 2016 No. 343](#), [S.R. 2006 No. 274](#), [S.R. 2010 No. 23](#), [S.R. 2019 No. 12](#).

(7) Regulation 3B was inserted by [S.R. 2019 No. 12](#).

(8) Regulation 8(1)(b) was amended by [S.R. 2005 No. 325](#), [S.R. 2016 No. 343](#), [S.R. 2019 No. 12](#).

Road Transport (Working Time) Regulations (Northern Ireland) 2005

12. In regulation 3 of the Road Transport (Working Time) Regulations (Northern Ireland) 2005⁽⁹⁾—

- (a) in paragraphs (1) and (1A), for “a Member State of the European Union” substitute “the United Kingdom”;
- (b) in paragraph (3)(c), for “international transport” substitute “transport operations wholly or partly outside the United Kingdom”.

Community Drivers’ Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 2009

13. The Community Drivers’ Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 2009⁽¹⁰⁾ are amended as follows.

14.—(1) Regulation 3⁽¹¹⁾ is amended as follows.

(2) In paragraph (1)—

- (a) omit “Pursuant to Article 13(1) of the Community Drivers’ Hours Regulation,”;
- (b) for “that Regulation” substitute “the Community Drivers’ Hours Regulation”.

(3) In paragraph (2)—

- (a) omit “Pursuant to Article 14(1) of the Community Drivers’ Hours Regulation,”;
- (b) for “that Regulation” substitute “the Community Drivers’ Hours Regulation”.

15.—(1) Regulation 5⁽¹²⁾ is amended as follows.

(2) In paragraph (1)—

- (a) omit “Pursuant to Article 3(2) of the EU Tachographs Regulation,”;
- (b) for “that Regulation” substitute “the EU Tachographs Regulation”.

(3) In paragraph (2)—

- (a) omit “Pursuant to Article 3(3) of the EU Tachographs Regulation,”;
- (b) for “that Regulation” substitute “the EU Tachographs Regulation”.

⁽⁹⁾ S.R. 2005 No. 241, amended by S.R. 2012 No. 169, S.R. 2007 No. 323, S.R. 2019 No. 12.

⁽¹⁰⁾ S.R. 2009 No.91.

⁽¹¹⁾ Regulation 3 was amended by S.R. 2016 No. 343.

⁽¹²⁾ Regulation 5 was amended by S.R. 2016 No.343.