
STATUTORY INSTRUMENTS

2012 No. 991

**The Road Transport (Working Time)
(Amendment) Regulations 2012**

Amendment of the Road Transport (Working Time) Regulations 2005

6. In regulation 4 (working time)—
- (a) In paragraph (1), after “mobile worker” insert “or self-employed driver”.
 - (b) In paragraph (2), for “a mobile worker’s working time”, substitute “the working time of a mobile worker or self-employed driver”.
 - (c) In the opening words of paragraph (3), delete “in the case of a mobile worker”.
 - (d) For paragraph (3)(a) there is substituted—
 - “(a) in the case of a mobile worker—
 - (i) where a collective agreement or a workforce agreement provides for the application of this regulation in relation to successive periods of 17 weeks, each such period, or
 - (ii) in a case where there is no such provision, and the employer gives written notice to the mobile worker in writing that he intends to apply this subparagraph, any period of 17 weeks in the course of the worker’s employment.”.
 - (e) For paragraph (3)(b) there is substituted—
 - (f) “(b) in the case of a self-employed driver who elects to apply this subparagraph in relation to any period of 17 weeks or to successive periods of 17 weeks, each such period.”.
 - (g) at the beginning of paragraph (3)(c), after “in any other case”, insert “for a mobile worker or self-employed driver.”.
 - (h) After paragraph (4) insert—
 - “(4A) The reference period may be extended in relation to self-employed drivers for objective or technical reasons or reasons concerning the organisation of work, by the substitution for 17 weeks of a period not exceeding 26 weeks in the application of paragraphs (2) and (3)(b) above.”
 - (i) In paragraph (5)—
 - (i) at the beginning, delete “A mobile worker’s” and insert “The”;
 - (ii) for “ $(A+B) \div C$ ” substitute—
 - “ $(A+B) \div C$ for mobile workers, or
 - $A \div C$ for self-employed drivers”; and
 - (iii) in the passage beginning “A is the aggregate”, delete “the mobile worker’s”.
 - (j) After paragraph (8) insert—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(9) A self-employed driver must take all reasonable steps, in keeping with the need to protect his health and safety, to comply with the limits specified above.”.