

---

DRAFT STATUTORY INSTRUMENTS

---

**2024 No.**

**The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2024**

**PART 2**

**Amendment of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007**

**Amendment to regulation 2 (interpretation)**

3.—(1) In regulation 2, in paragraph (1)—

(a) omit the definition of “the Directive”;

(b) after the definition of “the Driving Licences Regulations” insert—

““the Trade and Cooperation Agreement” means the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part<sup>(1)</sup> (as that agreement is modified or supplemented from time to time in accordance with any provision of it or of any other future relationship agreement);

“the Union code” in relation to a Community licence or a driver attestation means a licence or attestation which bears Union code “95” provided for in Annex I to [Directive 2006/126/EC](#) of the European Parliament and of the Council<sup>(2)</sup>”;

(c) in the definition of “competent authority”, in paragraph (b) for “Department of the Environment” substitute “Department for Infrastructure”;

(d) for the definition of “CPC” substitute—

““CPC” means—

(a) a written record certifying a qualification obtained as a result of either having completed the initial qualification requirements for the purposes of Article 6 (CPC certifying the initial qualification) or having completed the training requirements for the purposes of Article 8(1) (CPC certifying periodic training) of Section 1 (certificate of professional competence) of Part B of Annex 31 to the Trade and Cooperation Agreement, whichever is applicable, or

(b) a written record certifying a qualification obtained in a specified EEA state or Gibraltar, as the case may be, and recognised by the competent authority as equivalent to a written record referred to in sub-paragraph (a);”;

(e) for the definition of “driver card” substitute—

““driver card” means—

---

<sup>(1)</sup> Treaty Series No. 8 (2021).

<sup>(2)</sup> OJ No. L 403, 30.12.2006, p. 18, as last amended by Commission Directive (EU) 2020/612 of 4 May 2020 (OJ No. L 141, 5.5.2020, p. 9).

- (a) a tachograph card for the purposes of point (d) of Article 2(2) of Section 4 (use of tachographs by drivers: definitions) of Part B of Annex 31 to the Trade and Cooperation Agreement, or
  - (b) a tachograph card issued by a specified EEA state or Gibraltar, as the case may be, and recognised by the competent authority as equivalent to a tachograph card referred to in sub-paragraph (a);”;
- (f) for the definition of “driver qualification card” substitute—
- ““driver qualification card” means a card drawn up in accordance with the model reproduced in Appendix 31-B-1-2 (model of a driver qualification card referred to in Article 9 of Section 1 of Part B of Annex 31) to the Trade and Cooperation Agreement and issued by the competent authority, a member State or Gibraltar as if the reference to “member state/UK” is to “member state/UK/specified EEA state/Gibraltar;”;
- (g) in the definition of “fire and rescue authority”, for sub-paragraph (b) (but not the “and” after it) substitute—
- “(b) in relation to Northern Ireland, has the same meaning as in article 3 of the Fire and Rescue Services (Northern Ireland) Order 2006(3);”;
- (h) for the definition of “initial CPC” substitute—
- ““initial CPC” means—
- (a) a CPC for the purposes of Article 6 of Section 1 (certificate of professional competence: CPC certifying the initial qualification) of Part B of Annex 31 to the Trade and Cooperation Agreement, or
  - (b) a written record certifying a qualification obtained in a specified EEA state or Gibraltar, as the case may be, and recognised by the competent authority as equivalent to a CPC referred to in sub-paragraph (a);”;
- (i) for the definition of “initial CPC test” substitute—
- ““initial CPC test” means the tests for initial qualification referred to in point (ii) of Article 3(1)(a) of Section 1 (certificate of professional competence: system of initial qualification involving only tests) of Part B of Annex 31 to the Trade and Cooperation Agreement;”;
- (j) after the definition of “initial CPC test” insert—
- ““national driver qualification card” means a card drawn up in accordance with the model reproduced in Appendix 31-B-1-2 (model of a driver qualification card referred to in Article 9 of Section 1 of Part B) to the Trade and Cooperation Agreement and issued by the competent authority as if—
- (a) the reference to “driver qualification card” is to “national driver qualification card”;
  - (b) the reference to “member state/UK” is to “UK”;
  - (c) the reference to “Union code” is omitted;
- “national periodic CPC” means a written record certifying a qualification obtained as a result of having completed 35 hours of—
- (a) national periodic training,
  - (b) a combination of any national periodic training and any periodic training,

- (c) a combination of any national periodic training and any Swiss periodic training, or
  - (d) a combination of any national periodic training, any periodic training and any Swiss periodic training;  
“national periodic training” means training complying with the requirements in regulation 7A;  
“national periodic training course” means a course delivered by a person approved under regulation 6 and complying with the requirements in regulation 7A;  
“national return to driving course” means a course delivered by a person approved under regulation 6 and complying with the requirements in regulation 7B;”;
  - (k) in the definition of “NVT certificate” for “8B(3)” substitute “8B(2)”;
  - (l) for the definition of “periodic CPC” substitute—  
““periodic CPC” means—
    - (a) a CPC for the purposes of Article 8(1) of Section 1 (certificate of professional competence: CPC certifying periodic training) of Part B of Annex 31 to the Trade and Cooperation Agreement, or
    - (b) a written record certifying a qualification obtained in a specified EEA state or Gibraltar, as the case may be, and recognised by the competent authority as equivalent to a CPC referred to in sub-paragraph (a);”;
  - (m) for the definition of “periodic training” substitute—  
““periodic training” means—
    - (a) the training referred to in point (b) of Article 3(1) of Section 1 (certificate of professional competence: system of periodic training) of Part B of Annex 31 to the Trade and Cooperation Agreement, or
    - (b) training approved by a specified EEA state or Gibraltar which is recognised by the competent authority as equivalent to the training referred to in sub-paragraph (a);”;
  - (n) for the definition of “periodic training course” substitute—  
““periodic training course” means a course of at least 7 hours of training for the purposes of Section 4 (compulsory periodic training provided for in point (b) of Article 3(1) of Section 1 of Part B of Annex 31) of Appendix 31-B-1-1 to the Trade and Cooperation Agreement;”;
  - (o) after the definition of “prison service” insert—  
““relevant day” is to be construed as referring to one of the days referred to in regulation 8(a) to (e), whichever is applicable;”;
  - (p) after the definition of “road” insert—  
““specified EEA state” means Iceland, the Principality of Liechtenstein or the Kingdom of Norway;”.
- (2) In regulation 2, in paragraph (2), for sub-paragraph (a) substitute—  
“(a) except in regulation 9, a reference to a member State includes a reference to a specified EEA state;”.
- (3) In regulation 2, after paragraph (3) insert—  
“(3A) For the purposes of these Regulations, Appendix 31-B-1-1 (minimum qualification and training requirements) to the Trade and Cooperation Agreement is to be read as if modified as follows—

- (a) other than in the words before Section 1 (list of subjects), after “transport of goods”, in each place those words occur, insert “or passengers”;
  - (b) in Section 1 (list of subjects)—
    - (i) after point 1.5 insert—

“1.6. Objective: ability to ensure passenger comfort and safety:  
adjusting longitudinal and sideways movements, road sharing, position on the road, smooth breaking, overhang operation, using specific infrastructures (public areas, dedicated lanes), managing conflicts between safe driving and other roles as a driver, interacting with passengers, specificities of certain groups of passengers (disabled persons, children).”;
    - (ii) after point 2.2 insert—

“2.3. Objective: to know the regulations governing the carriage of passengers:  
carriage of specific groups of passengers, safety equipment on board buses, safety belts, vehicle load.”;
    - (iii) after point 3.7 insert—

“3.8 Objective: to know the economic environment of the carriage of passengers by road and the organisation of the market:  
carriage of passengers by road in relation to other modes of passenger transport (rail, private car), different activities involving the carriage of passengers by road, disability awareness, crossing borders (international transport), organisation of the main types of companies for the carriage of passengers by road.”;
  - (c) in Section 2.2(b) (compulsory initial qualification provided for in point (a) of Article 3(1) of Section 1 of Part B of Annex 31: practical test), in point (ii) after “points 1.5” insert “, 1.6”.
- (4) In regulation 2, in paragraph (4) for “6(11)(e), 9(4A) and 11(2A)” substitute “6(16)(f), 9(7)(b)(ii) and 11(2)(c)(ii)”.