

2001 No. 3260

ROAD TRAFFIC

**The Community Drivers' Hours
(Foot-and-Mouth Disease)
(Temporary Exception) (No. 2)
(Amendment No. 5) Regulations 2001**

Made - - - - - *27th September 2001*
Laid before Parliament *28th September 2001*
Coming into force - - *30th September 2001*

The Secretary of State for Transport, Local Government and the Regions, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation and supervision of working conditions of persons engaged in road transport, in exercise of the powers conferred by that section and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Community Drivers' Hours (Foot-and-Mouth Disease) (Temporary Exception) (No. 2) (Amendment No. 5) Regulations 2001 and shall come into force on 30th September 2001.

Amendment of the Community Drivers' Hours (Foot-and-Mouth Disease) (Temporary Exception) (No. 2) Regulations 2001

2.—(1) The Community Drivers' Hours (Foot-and-Mouth Disease) (Temporary Exception) (No. 2) Regulations 2001(c) shall be amended as follows.

(2) In regulation 3(1), for the words “until 1st October 2001” there shall be substituted the words “until 31st October 2001”.

Signed by authority of the Secretary of State for Transport,
Local Government and the Regions

David Jamieson
Parliamentary Under-Secretary of State
Department for Transport,
Local Government and the Regions

27th September 2001

(a) S.I. 1975/1707.

(b) 1972 c. 68.

(c) S.I. 2001/1293 amended by S.I. 2001/1822, S.I. 2001/2358, S.I. 2001/2741 and S.I. 2001/2959.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Article 13(2) of Council Regulation (EEC) No. 3820/85 of 20th December 1985 on harmonisation of certain social legislation relating to road transport (“the Council Regulation”) provides that Member States may, after authorisation by the Commission, grant exceptions from the application of the provisions of that Regulation to transport operations carried out in exceptional circumstances.

These Regulations further amend the Community Drivers’ Hours (Foot-and-Mouth Disease) (Temporary Exception) (No. 2) Regulations 2001 (as amended by S.I. 2001/1822, S.I. 2001/2358, S.I. 2001/2741 and S.I. 2001/2959) (“the principal Regulations”) so as to extend the expiry date of the exceptions provided for in those Regulations for a further period of 30 days until 31st October 2001. By letter of 26th September 2001 the Commission authorised the continuation of the temporary exception provided for by these Regulations.

The principal Regulations provided that until 1st October 2001, any time spent driving vehicles for the purposes specified in regulation 3(1) to meet the exceptional circumstances occasioned by the outbreak of foot-and-mouth disease in Great Britain, or the effects or consequences of such exceptional circumstances, shall not be taken into account for the purposes of the application of Article 6(2) of the Council Regulation.

The principal Regulations also provided that in relation to the driving of such vehicles in the exceptional circumstances mentioned above, Articles 6(1) and 8(3) of the Council Regulation shall have effect subject to certain modifications.

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