

Changes to legislation: *The Community Drivers' Hours and Working Time (Road Tankers) (Temporary Exception) (Amendment) Regulations 2006 is up to date with all changes known to be in force on or before 24 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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 (OJ No L 370, 31.12.1985, p1) (“the Council Regulation”) provides that Member States may, in urgent cases, grant a temporary exception, for a period not exceeding 30 days, from the application of the provisions of that Regulation to transport operations carried out in exceptional circumstances.

These Regulations amend the Community Drivers' Hours and Working Time (Road Tankers) (Temporary Exception) Regulations 2006 (“the principal Regulations”) to extend the expiry date of the exceptions provided for in those Regulations for 30 days until 12th March 2006. This period of 30 days is granted while the Secretary of State continues to await the Commission’s response to his request for an exception in accordance with the Council Regulation.

The principal Regulations provided for the operation of road tankers which transport petroleum products in the exceptional circumstances arising from the fire at Buncefield fuel depot. They provided that until the end of 10th February 2006, any time spent driving road tankers in those exceptional circumstances, or in consequence of such exceptional circumstances, was not to be taken into account for the purposes of the application of Article 6(2) of the Council Regulation, which limits the maximum period of driving in a fortnight. In addition, Articles 6(1) and 8(3) of the Council Regulation were modified to increase the daily driving period to 10 hours and to reduce the minimum weekly rest period to 24 hours.

The Road Transport (Working Time) Regulations 2005, which apply to mobile workers to whom the Council Regulation applies, were also modified in relation to road tankers to increase the maximum working time in a week, prescribed by regulation 4(1) of those Regulations, to 66 hours and to allow up to 6 extra hours to be worked without affecting the average weekly working time. But the modification has effect only where necessary as a result of driving within the modified Council Regulation.

A Regulatory Impact Assessment has not been prepared for this instrument as it has no significant impact on the costs of business.

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 28 Sch. 1 Pt. 1](#)