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STATUTORY INSTRUMENTS

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**2007 No. 853**

**The Road Transport (Working Time)  
(Amendment) Regulations 2007**

**Amendment of the principal Regulations**

2.—(1) The Road Transport (Working Time) Regulations 2005<sup>(1)</sup> are amended as provided in this regulation.

(2) In regulation 2, for the definition of “the Community Drivers’ Hours Regulation”, substitute—  
““the Community Drivers’ Hours Regulation” means Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006<sup>(2)</sup> on the harmonisation of certain social legislation relating to road transport (and amending and repealing certain Council Regulations)”;

(3) For regulation 3(2) substitute—

“(2) This paragraph applies to mobile workers who, in the course of that employment or work, drive or travel in or on vehicles—

- (a) which are vehicles within the meaning of Article 4(b) of the Community Drivers’ Hours Regulation,
- (b) which are not vehicles described in Article 3 of that Regulation, and
- (c) which are not vehicles exempted from the provisions of that Regulation under regulation 2 of the Community Drivers’ Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986<sup>(3)</sup>.”

(4) For regulation 15 substitute—

**“Individual carrying on own trade or business**

15.—(1) This regulation applies to an individual who—

- (a) for the purpose of a trade or business carried on by him, drives a vehicle described in paragraph (2) or (3) of regulation 3, and
- (b) is neither—
  - (i) a self-employed driver, nor
  - (ii) an agency worker within the meaning of regulation 14.

(2) Where this regulation applies, these Regulations shall have effect as if—

- (a) the individual were both a mobile worker and the employer of that mobile worker, and
- (b) regulations 10, 11(a) and (e) and 12 were omitted.”

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(1) S.I. 2005/639.

(2) OJ No L102, 11.4.2006, p.1.

(3) S.I. 1986/1456; regulation 2 was substituted by S.I. 1987/805.

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**Status:** This is the original version (as it was originally made).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

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