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(Acts whose publication is not obligatory)

COMMISSION

COMMISSION OPINION

of 1 April 1977

addressed to the United Kingdom Government on the draft Roads and Road Traffic (Northern Ireland) Order

(77/277/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States [1], as amended by the Decision of 22 November 1973 [2], the United Kingdom Government has sent the Commission, under cover of a letter dated 28 January 1977 from the Office of its Permanent Representative to the European Communities, the text of the draft Roads and Road Traffic (Northern Ireland) Order.

The letter from the United Kingdom Permanent Representative's Office reached the Commission on 8 February 1977 and, in accordance with Article 1 of the Council Decision referred to above, was also sent to the other Member States.

Under Article 2 (1) of the Council Decision of 21 March 1962, as amended by the Decision of 22 November 1973, the Commission hereby delivers the following opinion :

1. The Commission notes that this draft, which closely follows the provisions of the Road Traffic/ Foreign Vehicles Act 1972, contains various provisions for the more effective enforcement of certain road traffic legislation on goods vehicles visiting Northern Ireland.

2. As regards the statement made by the Office of the United Kingdom Permanent Representative at the end of its letter, to the effect that further information on the training of drivers of heavy goods vehicles from 18 to 21 years would be supplied for the purposes of the formal consultations with the Commission required under Article 18 of Regulation (EEC) No 543/69 [3], the Commission would remind the United Kingdom Government that the level of this training must be at least equivalent to that laid down in the Council Directive of 16 December 1976 on the minimum level of training for some road transport drivers [4] and that consultations with the Commission must be based on Article 3 of the said Directive.

3. The Commission notes that Schedule 1A, which describes the functions of the examiners, expressly states that the latter must 'examine records kept by licencees . . . .'. For the avoidance of misunderstandings, the Commission stresses that the tachograph records which replace the individual control book (Article 14 of Regulation (EEC) No 543/69) must also be considered as records within the meaning of the Order and must therefore be inspected.

4. The Commission does not consider it necessary to institute consultations with the other Member States under Article 2 (3) of the Council Decision of 21 March 1962.

5. The Commission is informing the other Member States of this opinion.

Done at Brussels, 1 April 1977.

For the Commission

Richard BURKE

Member of the Commission

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(1) OJ No 23, 3. 4. 1962, p. 720/62.
(2) OJ No L 347, 17. 12. 1973, p. 48.
(3) OJ No L 77, 29. 3. 1969, p. 49.
(4) OJ No L 357, 29. 12. 1976, p. 36.