



STATUTORY INSTRUMENTS.

S.I. No. 380 of 2021

EUROPEAN UNION (VEHICLE DRIVERS CERTIFICATE OF
PROFESSIONAL COMPETENCE) (AMENDMENT) REGULATIONS 2021

EUROPEAN UNION (VEHICLE DRIVERS CERTIFICATE OF PROFESSIONAL COMPETENCE) (AMENDMENT) REGULATIONS 2021

I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purposes of giving further effect to Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Vehicle Drivers Certificate of Professional Competence) (Amendment) Regulations 2021.

2. The European Communities (Vehicle Drivers Certificate of Professional Competence) (No. 2) Regulations 2008 (S.I. No. 359 of 2008) are amended –

(a) in Regulation 2 –

(i) by the substitution of the following for the definition of “Directive”:

“ ‘Directive’ means Directive 2003/59 EC of the European Parliament and of the Council of 15 July 2003² as amended by Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018 amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences¹;”, and

(ii) by the insertion of the following after the definition of “driving test”:

“ ‘enforcement network’ means the network referred to in Article 10a of the Directive;”, and

(b) by the insertion of the following after Regulation 21:

“21A. (1) The Authority shall exchange information with other Member States in relation to CPCs through the enforcement network.

(2) The information shared by the Authority through the enforcement network shall consist of –

(a) information contained in the CPCs, and

(b) details of training with respect to CPCs.

¹ OJ L 112, 2.5.2018, p.29.

² OJ L 226, 10.9.2003, p. 4.

(3) Access in the State to the enforcement network shall be limited to the Authority and members of the Garda Síochána.

(4) Processing of personal data by the persons referred to in paragraph (3) shall be solely for the purposes of verifying compliance with the Directive, in particular the requirements relating to training and shall comply with the requirements laid down in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016³ on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC⁴.”.

GIVEN under my Official Seal,
22 July, 2021.

L.S.

EAMON RYAN,
Minister for Transport.

³ OJ L 119, 4.5.2016, p. 1.

⁴ OJ L 281, 23.11.1995, p. 31.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the European Communities (Vehicle Drivers Certificate of Professional Competence) (No. 2) Regulations 2008 (No. 359 of 2008) for the purpose of giving further effect to Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018.

Point 6 of Article 1 of Directive (EU) 2018/645 provides for the exchange of information on CPCs between Member States through the establishment of an enforcement network.

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