

Status: Point in time view as at 01/04/2018.

Changes to legislation: Wales Act 2017, Cross Heading: Road Traffic Regulation Act 1984 (c. 27) is up to date with all changes known to be in force on or before 31 August 2024. 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)

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 3

OTHER AMENDMENTS

Road Traffic Regulation Act 1984 (c. 27)

- 36 (1) Section 17 of the Road Traffic Regulation Act 1984 (traffic regulation on special roads) is amended as follows.
- (2) After subsection (3ZC) insert—
- “(3ZCA) In relation to special roads in Wales, that power of the Secretary of State is exercisable only after consultation with the Welsh Ministers.”
- (3) After subsection (3A) insert—
- “(3B) Before making regulations under subsection (2), the Welsh Ministers must consult the National Park authority for any National Park that would be affected by the regulations.”

Commencement Information

II Sch. 6 para. 36 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 37 (1) Section 65 of that Act (powers of traffic authorities as to placing of traffic signs) is amended as follows.
- (2) For ““national authority””, in each place, substitute “ relevant authority ”.
- (3) In subsection (3), after ““Secretary of State”” insert “ or the Welsh Ministers ”.
- (4) In subsection (3ZB), after ““with”” insert “ the Welsh Ministers and ”.
- (5) In subsection (3ZC), for the words from ““giving”” to ““Ministers”” substitute “ the Welsh Ministers or the Scottish Ministers give a general direction under subsection (1) they ”.
- (6) After subsection (4) insert—
- “(5) In this section ““relevant authority”” means—
- (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;

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- (b) in relation to a function so far as exercisable within devolved competence, within the meaning given by section 58A(7) and (8) of the Government of Wales Act 2006, means the Welsh Ministers;
- (c) otherwise, means the Secretary of State.”

Commencement Information

I2 Sch. 6 para. 37 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 38 In section 72 of that Act (powers exercisable by parish or community councils), in subsection (4), after ““by the highway authority”” insert “ , the Welsh Ministers ”.

Commencement Information

I3 Sch. 6 para. 38 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 39 (1) Section 81 of that Act (general speed limit for restricted roads) is amended as follows.
- (2) In subsection (3), after paragraph (a) insert—
 - “(aa) if made by the Welsh Ministers, is to be made by statutory instrument and approved by a resolution of the National Assembly for Wales;”.
 - (3) In subsection (4), after ““with”” insert “ the Welsh Ministers and ”.
 - (4) In subsection (5), for the words from ““making”” to ““Ministers”” substitute “ the Welsh Ministers or the Scottish Ministers make an order under subsection (2) they ”.

Commencement Information

I4 Sch. 6 para. 39 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 40 In section 83 of that Act (provisions as to directions under section 82(2)), after subsection (3) insert—
- “(4) The power of the Welsh Ministers to make an order under subsection (1) is exercisable by statutory instrument.”

Commencement Information

I5 Sch. 6 para. 40 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 41 (1) Section 85 of that Act (traffic signs for indicating speed restrictions) is amended as follows.
- (2) After subsection (7) insert—
 - “(7A) The power of the Welsh Ministers to give general directions under subsection (2) is exercisable by statutory instrument.”
 - (3) In subsection (9), after ““with”” insert “ the Welsh Ministers and ”.
 - (4) In subsection (10), for the words from ““giving”” to ““Ministers”” substitute “ the Welsh Ministers or the Scottish Ministers give any general directions under subsection (2) they ”.

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I6 Sch. 6 para. 41 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 42 (1) Section 88 of that Act (temporary speed limits) is amended as follows.
- (2) After subsection (8) insert—
- “(8A) The first order to be made under subsection (1)(b) by the Welsh Ministers is not to be made until a draft of the order has been laid before and approved by a resolution of the National Assembly for Wales.”
- (3) After subsection (11) insert—
- “(11A) The power of the Welsh Ministers to make an order under subsection (4) is exercisable by statutory instrument.
- (11B) A statutory instrument containing an order made by the Welsh Ministers under subsection (4) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.”

Commencement Information

I7 Sch. 6 para. 42 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 43 (1) Section 134 of that Act (regulations) is amended as follows.
- (2) After subsection (3A) insert—
- “(3B) Before making regulations under section 25 or 64 the Secretary of State must consult with the Welsh Ministers.”
- (3) After subsection (8) insert—
- “(9) Any power conferred by this Act on the Welsh Ministers to make regulations is exercisable by statutory instrument.
- (10) Before making regulations under a provision of this Act (except sections 103(1), 108 to 110, Schedule 4, Schedule 8 and Schedule 12), the Welsh Ministers must consult with such representative organisations as they think fit.
- (11) A statutory instrument containing regulations made by the Welsh Ministers under this Act (except section 86) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (12) Regulations made by the Welsh Ministers under section 86 do not have effect unless approved by a resolution of the National Assembly for Wales.
- (13) Before making regulations under section 25 or 64 the Welsh Ministers must consult with the Secretary of State.”

Commencement Information

I8 Sch. 6 para. 43 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

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