



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**2005 Rhif 3252 (Cy.245)**

**2005 No. 3252 (W.245)**

**TRAFFIG FFYRDD, CYMRU**

**ROAD TRAFFIC, WALES**

Rheoliadau Symud Ymaith a  
Gwaredu Cerbydau (Diwygio)  
(Cymru) 2005

The Removal and Disposal of  
Vehicles (Amendment) (Wales)  
Regulations 2005

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau.)*

*(This note is not part of the Regulations)*

Mae Rheoliadau Symud Ymaith a Gwaredu Cerbydau 1986 ("Rheoliadau 1986") yn darparu ar gyfer symud ymaith a gwaredu cerbydau o dan adrannau 3 a 4 o Ddeddf (Amwynder) Gwaredu Gwastraff 1978 ac adrannau 99 a 101 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984.

The Removal and Disposal of Vehicles Regulations 1986 ("the 1986 Regulations") provide for the removal and disposal of vehicles under sections 3 and 4 of the Refuse Disposal (Amenity) Act 1978 and sections 99 and 101 of the Road Traffic Regulation Act 1984.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau 1986 o ran Cymru (heblaw'r rhannau hynny o Groesfannau Hafren sydd yng Nghymru) er mwyn cwtdogi'r cyfnod o rybudd a ragnodir gan Reoliadau 1986 mewn dau achos:-

These Regulations amend the 1986 Regulations in relation to Wales (save for those parts of the Severn Crossings which are in Wales) so as to reduce the period of notice prescribed by the 1986 Regulations in two cases:-

- (a) Os yw awdurdod yn bwriadu symud ymaith gerbyd sy'n ymddangos i'r awdurdod yn adawedig ac sydd yn ei farn ef yn y fath gyflwr ag y dylid ei ddinistrio, cwtdogir y cyfnod hysbysu o 7 niwrnod i 24 awr o'r adeg pan osodir hysbysiad ar y cerbyd;
- (b) Os yw awdurdod wedi symud ymaith gerbyd (ond nad yw'r cerbyd yn y fath gyflwr ag y dylid ei ddinistrio) ac wedi dod o hyd i'r perchennog, cwtdogir y cyfnod pryd y mae'n ofynnol i'r perchennog symud y cerbyd o warchodaeth yr awdurdod o 21 niwrnod i 7 niwrnod o'r adeg pan gyflwynir yr hysbysiad perthnasol iddo. Caiff yr awdurdod waredu'r cerbyd ar ôl i'r cyfnod hwnnw ddod i ben cyn belled ag nad oes trwydded mewn grym ar gyfer y cerbyd hwnnw.

- (a) Where an authority proposes to remove a vehicle which appears to the authority to be abandoned and in their opinion is in such a condition that it ought to be destroyed, the notice period is reduced from 7 days to 24 hours from when a notice is affixed to the vehicle;
- (b) Where an authority has removed a vehicle (but it is not in such a condition that it ought to be destroyed) and has located the owner, the period during which the owner is required to remove the vehicle from the custody of the authority is reduced from 21 days to 7 days from when the relevant notice is served on him. The authority may dispose of the vehicle after the expiry of that period, provided that there is no licence in force for that vehicle.

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(Cymru) 2005****The Removal and Disposal of  
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Regulations 2005***Wedi'u gwneud* 23 Tachwedd 2005*Made* 23 November 2005*Yn dod i rym* 25 Tachwedd 2005*Coming into force* 25 November 2005

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 3 a 4 o Ddeddf (Amwynder) Gwaredu Gwastraff 1978(1) ac adrannau 99 a 101 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(2) ac sydd bellach yn arferadwy gan y Cynulliad Cenedlaethol(3), drwy hyn yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred upon the Secretary of State by sections 3 and 4 of the Refuse Disposal (Amenity) Act 1978(1) and sections 99 and 101 of the Road Traffic Regulation Act 1984(2) and now exercisable by the National Assembly(3), hereby makes the following Regulations:

**Enwi, cychwyn a chymhwyso****Title, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Symud Ymaith a Gwaredu Cerbydau (Diwygio) (Cymru) 2005 a deuant i rym ar 25 Tachwedd 2005.

1.-(1) The title of these Regulations is the Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2005 and they come into force on 25 November 2005.

(2) Yn ddarostyngedig i baragraff (3), mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(2) Subject to paragraph (3), these Regulations apply in relation to Wales.

(3) Nid yw'r Rheoliadau hyn yn gymwys o ran y rhannau o Gymru a ganlyn-

(3) These Regulations do not apply in relation to the following parts of Wales-

(a) y rhan honno o draffordd yr M4 yng Nghymru sy'n cynnwys "the New Toll Plaza area" a "the New Bridge" fel y'u diffinnir yn adran 39(1) o Ddeddf Pontydd Hafren 1992(4); neu

(a) that part of the M4 Motorway in Wales which comprises "the New Toll Plaza area" and "the New Bridge", as defined in section 39(1) of the Severn Bridges Act 1992(4); or

(1) 1978 p.3. *Gweler* adran 11(1) i gael y diffiniad o "prescribed".

(1) 1978 c.3. *See* section 11(1) for the definition of "prescribed".

(2) 1984 p.27. *Gweler* adran 142(1) i gael y diffiniad o "prescribed".

(2) 1984 c.27. *See* section 142(1) for the definition of "prescribed".

(3) Cafodd swyddogaethau yr Ysgrifennydd Gwladol dan adrannau 3 a 4 o Ddeddf (Amwynder) Gwaredu Gwastraff 1978 eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672, erthygl 2 ac Atodlen 1. Cafodd swyddogaethau'r Ysgrifennydd Gwladol dan adrannau 99 a 101 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984 eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004, O.S. 2004/3044, erthygl 2 ac Atodlen 1.

(3) The functions of the Secretary of State under sections 3 and 4 of the Refuse Disposal (Amenity) Act 1978 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, article 2 and Schedule 1. The functions of the Secretary of State under sections 99 and 101 of the Road Traffic Regulation Act 1984 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 2004, S.I. 2004/3044, article 2 and Schedule 1.

(4) 1992 p.3.

(4) 1992 c.3.

(b) y rhan honno o'r ffordd a adeiladwyd gan y Gweinidog Trafnidiaeth ar hyd y llinell a ddisgrifir yn Atodlen 1 o Orchymyn Cefnffordd North Almondsbury-South of Haysgate 1947(1) ac y cyfeirir ati yn y Gorchymyn hwnnw fel "the new road" sy'n gorwedd i'r dwyrain o'r pwynt mwyaf dwyreiniol cyn cyrraedd Afon Gwy lle gall traffig Dosbarthiadau I a II fel y'i pennir yn Atodlen 4 i Ddeddf Priffyrdd 1980(2) adael y ffordd honno ar hyd ffordd arbennig arall.

(b) that part of the road constructed by the Minister of Transport along the line described in Schedule 1 to the North Almondsbury-South of Haysgate Trunk Road Order 1947(1) and referred to in that Order as "the new road" which lies to the east of the most easterly point before reaching the River Wye at which eastbound traffic of Classes I and II (as specified in Schedule 4 to the Highways Act 1980(2)) can leave that road by another special road.

### **Diwygio Rheoliadau Symud Ymaith a Gwaredu Cerbydau 1986**

2.-(1) Diwygir Rheoliadau Symud Ymaith a Gwaredu Cerbydau 1986(3) fel a ganlyn:

(2) Yn rheoliad 10 (cyfnod hysbysiad cyn symud ymaith i ddinistrio), yn lle "seven days" rhodder "24 hours".

(3) Yn rheoliad 14 (perchennog yn symud cerbyd ymaith cyn ei waredu), yn lle'r geiriau ar ôl "to be the owner from their custody shall be" rhodder "7 days from the day when that notice is served on that person".

### **Amendment of the Removal and Disposal of Vehicles Regulations 1986**

2.-(1) The Removal and Disposal of Vehicles Regulations 1986(3) are amended as follows:

(2) In regulation 10 (notice period prior to removal for destruction), for "seven days" substitute "24 hours".

(3) In regulation 14 (removal of a vehicle by the owner before disposal), for the words after "to be the owner from their custody shall be" substitute "7 days from the day when that notice is served on that person".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(4)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

23 Tachwedd 2005

23 November 2005

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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(1) O.S. 1947/1562.

(2) 1980 p.66.

(3) O.S. 1986/183, y gwnaed diwygiadau perthnasol i'r Rheoliadau hyn, o ran Lloegr, gan O.S. 2002/746 ac o ran Yr Alban, gan O.S.A. 2002/538.

(4) 1998 p.38.

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(1) S.I. 1947/1562.

(2) 1980 c.66.

(3) S.I. 1986/183, to which amendments relevant to these Regulations have been made, in relation to England, by S.I. 2002/746 and, in relation to Scotland, by S.S.I. 2002/538.

(4) 1998 c.38.

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