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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2013 Rhif 1969 (Cy. 191)**

**2013 No. 1969 (W. 191)**

**TRAFFIG FFYRDD, CYMRU**

**ROAD TRAFFIC, WALES**

Gorchymyn Gorfodi Sifil ar  
Dramgwyddau Traffig Ffyrdd  
(Canllawiau ar Lefelau Taliadau)  
(Cymru) 2013

The Civil Enforcement of Road  
Traffic Contraventions (Guidelines  
on Levels of Charges) (Wales)  
Order 2013

**NODYN ESBONIADOL**

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

Mae Rhan 3 (paragraffau 7 i 9) o Atodlen 9 i Ddeddf Rheoli Traffig 2004 yn gwneud darpariaeth i awdurdodau gorfodi y tu allan i Lundain Fwyaf osod lefelau taliadau o dan Ran 6 o'r Ddeddf honno (gorfodi sifil ar dramgwyddau traffig) ac yn ei gwneud yn ofynnol i'r lefelau hynny gyd-fynd â chanllawiau a roddir gan yr awdurdod cenedlaethol priodol, ac eithrio pan fo'r awdurdod hwnnw yn caniatáu i awdurdod gorfodi wyro oddi wrth y canllawiau hynny.

Drwy'r Gorchymyn hwn, mae Gweinidogion Cymru, sef yr awdurdod cenedlaethol priodol ar gyfer Cymru, yn rhoi i awdurdodau gorfodi yng Nghymru y canllawiau ar daliadau am dramgwyddau traffig ffyrdd a nodir yn yr Atodlen.

**EXPLANATORY NOTE**

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

Part 3 (paragraphs 7 to 9) of Schedule 9 to the Traffic Management Act 2004 provides for the setting by enforcement authorities outside Greater London of the levels of charges under Part 6 of that Act (civil enforcement of traffic contraventions) and requires those levels to accord with guidelines given by the appropriate national authority, except where that authority permits an enforcement authority to depart from the guidelines.

By this Order, the Welsh Ministers, as appropriate national authority for Wales, give to enforcement authorities in Wales the guidelines on charges for road traffic contraventions as set out in the Schedule.

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The Civil Enforcement of Road  
Traffic Contraventions (Guidelines  
on Levels of Charges) (Wales)  
Order 2013

*Gwnaed* 2 Awst 2013

*Made* 2 August 2013

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 7 Awst 2013

*Laid before the National Assembly for Wales*  
7 August 2013

*Yn dod i rym* 2 Tachwedd 2013

*Coming into force* 2 November 2013

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddwyd i Gynulliad Cenedlaethol Cymru gan baragraff 8 o Atodlen 9 i Ddeddf Rheoli Traffig 2004(1), ac a freiniwyd ynddynt hwy bellach(2), yn gwneud y Gorchymyn a ganlyn.

The Welsh Ministers, in exercise of the power conferred upon the National Assembly for Wales by paragraph 8 of Schedule 9 to the Traffic Management Act 2004(1), and now vested in them(2) make the following Order.

**Enwi, cychwyn, cymhwyso a dehongli**

**Title, commencement, application and interpretation**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Gorfodi Sifil ar Dramgwyddau Traffig Ffyrdd (Canllawiau ar Lefelau Taliadau) (Cymru) 2013 a daw i rym ar 2 Tachwedd 2013, ac mae'n gymwys o ran Cymru.

1.—(1) The title of this Order is the Civil Enforcement of Road Traffic Contraventions (Guidelines on Levels of Charges) (Wales) Order 2013, it comes into force on 2 November 2013 and applies in relation to Wales.

(2) Yn y Gorchymyn hwn—

(2) In this Order—

ystyr “Deddf 2004” (“*the 2004 Act*”) yw Deddf Rheoli Traffig 2004;

“the 2004 Act” (“*Deddf 2004*”) means the Traffic Management Act 2004;

ystyr “y Rheoliadau Darpariaethau Cyffredinol” (“*the General Provisions Regulations*”) yw Rheoliadau Gorfodi Sifil ar Dramgwyddau Traffig Ffyrdd (Darpariaethau Cyffredinol) (Cymru) 2013(3); ac

“the General Provisions Regulations” (“*y Rheoliadau Darpariaethau Cyffredinol*”) means the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013(3); and

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(1) 2004 p.18.

(2) Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan Ddeddf Rheoli Traffig 2004 i Weiniogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(3) O.S. 2013/362.

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(1) 2004 c.18.

(2) The functions of the National Assembly for Wales under the Traffic Management Act 2004 were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(3) S.I. 2013/362.

ystyr “tramgwydd traffig ffyrdd” (“*road traffic contravention*”) o ran Cymru, yw unrhyw un o'r canlynol:

- (a) tramgwydd parcio fel y'i disgrifir ym mharagraff 4, Rhan 1 o Atodlen 7 i Ddeddf 2004;
- (b) tramgwydd lôn fysiau fel y'i disgrifir yn Rhan 2 o Atodlen 7 i Ddeddf 2004; neu
- (c) tramgwydd traffig symudol fel y'i disgrifir yn Rhan 4 o Atodlen 7 i Ddeddf 2004.

### Canllawiau

2. Y canllawiau a roddir gan Weinidogion Cymru, sef yr awdurdod cenedlaethol priodol ar gyfer Cymru o dan Ran 6 o Ddeddf 2004, i awdurdodau gorfodi wrth osod lefelau taliadau ar gyfer tramgwyddau traffig ffyrdd yw'r rhai hynny a nodir yn yr Atodlen.

### Dirymu

3. Mae Gorchymyn Gorfodi Sifil ar Dramgwyddau Parcio (Canllawiau ar Lefelau Taliadau) (Cymru) 2008(1) drwy hyn wedi ei ddirymu.

“road traffic contravention” (“*tramgwydd traffig ffyrdd*”) in relation to Wales means any of the following:

- (a) a parking contravention as described in paragraph 4, Part 1 of Schedule 7 to the 2004 Act;
- (b) a bus lane contravention as described in Part 2 of Schedule 7 to the 2004 Act; or
- (c) a moving traffic contravention as described in Part 4 of Schedule 7 to the 2004 Act.

### Guidelines

2. The guidelines given by the Welsh Ministers, as appropriate national authority for Wales under Part 6 of the 2004 Act, for the setting by enforcement authorities of the level of charges for road traffic contraventions, are those set out in the Schedule.

### Revocation

3. The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (Wales) Order 2008(1) is hereby revoked.

*Edwina Hart*

Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth, un o Weinidogion Cymru

2 Awst 2013

Minister for the Economy, Science and Transport, one of the Welsh Ministers

2 August 2013

CANLLAWIAU I AWDURDODAU  
GORFODI WRTH OSOD TALIADAU  
AM DRAMGWYDDAU TRAFFIG  
FFYRDD

**Taliadau cosb ar gyfer tramgwyddau traffig ffyrdd**

1.—(1) Rhaid gosod taliadau cosb ar gyfer tramgwyddau traffig ffyrdd—

- (a) ar gyfer tramgwyddau lefel uwch, ar y lefel a bennir yng ngholofn (2) yn un o'r bandiau yn Nhabl 1; a
- (b) ar gyfer pob tramgwydd arall, ar y lefel a bennir yng ngholofn (3) yn y band a ddewisir ar gyfer tramgwyddau lefel uwch.

(2) Rhaid gosod y lefel disgownt ar gyfer taliad cosb a delir yn gynnar (hynny yw o fewn 21 o ddiwrnodau yn achos taliadau cosb a osodwyd ar sail cofnod a gynhyrchwyd gan ddyfais a gymeradwyir o dan reoliad 10 o'r Rheoliadau Darpariaethau Cyffredinol a 14 o ddiwrnodau ym mhob achos arall)—

- (a) ar gyfer tramgwyddau lefel uwch, ar y lefel a bennir yng ngholofn (4);
- (b) ar gyfer pob tramgwydd arall, ar y lefel a bennir yng ngholofn (5),

yn y band sy'n pennu lefelau'r taliadau cosb.

(3) Rhaid gosod lefel gordal taliad o dâl cosb wedi i dystysgrif codi tâl gael ei dyroddi—

- (a) ar gyfer tramgwyddau lefel uwch ar y lefel a bennir yng ngholofn (6);
- (b) ar gyfer pob tramgwydd arall ar y lefel a bennir yng ngholofn (7),

yn y band sy'n pennu lefelau'r taliadau cosb.

GUIDELINES FOR THE SETTING BY  
ENFORCEMENT AUTHORITIES OF  
CHARGES FOR ROAD TRAFFIC  
CONTRAVENTIONS

**Penalty charges for road traffic contraventions**

1.—(1) Penalty charges for road traffic contraventions must be set—

- (a) for higher level contraventions, at the level specified in column (2) of one of the bands in Table 1; and
- (b) for all other contraventions, at the level specified in column (3) of the band selected for higher level contraventions.

(2) The discounted level for a penalty charge which is paid early (that is within 21 days in the case of penalty charges imposed on the basis of a record produced by an approved device under regulation 10 of the General Provisions Regulations and 14 days in all other cases) must be set—

- (a) for higher level contraventions, at the level specified in column (4);
- (b) for all other contraventions, at the level specified in column (5),

of the band specifying the levels of the penalty charges.

(3) The surcharged level for payment of a penalty charge after a charge certificate has been issued must be set—

- (a) for higher level contraventions at the level specified in column (6);
- (b) for all other contraventions at the level specified in column (7),

of the band specifying the levels of the penalty charges.

**Tabl 1**

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6)</i>	<i>(7)</i>
<i>Band</i>	<i>Tâl cosb lefel uwch</i>	<i>Tâl cosb lefel is</i>	<i>Tâl cosb lefel uwch a delir yn gynnar</i>	<i>Tâl cosb lefel is a delir yn gynnar</i>	<i>Tâl cosb lefel uwch a delir ar ôl cyflwyno tystysgrif codi tâl</i>	<i>Tâl cosb lefel is a delir ar ôl cyflwyno tystysgrif codi tâl</i>
1.	£60	£40	£30	£20	£90	£60
2.	£70	£50	£35	£25	£105	£75

**Table 1**

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6)</i>	<i>(7)</i>
<i>Band</i>	<i>Higher level penalty charge</i>	<i>Lower level penalty charge</i>	<i>Higher level penalty charge paid early</i>	<i>Lower level penalty charge paid early</i>	<i>Higher level penalty charge paid after service of charge certificate</i>	<i>Lower level penalty charge paid after service of charge certificate</i>
1.	£60	£40	£30	£20	£90	£60
2.	£70	£50	£35	£25	£105	£75

(4) Caiff awdurdod gorfodi osod taliadau cosb yn unol â gwahanol fandiau yn y tabl mewn gwahanol rannau o'i ardal, cyn belled â bod pob taliad ym mhob rhan yn cael ei osod yn unol â'r un band.

(5) "Tramgwyddau lefel uwch" yw'r rhai hynny a restrir yn yr Atodiad.

### Taliadau am symud ymaith, storio a gwaredu cerbydau

2. Y rhai hynny a geir yn Nhabl 2 yw'r taliadau y mae'n rhaid eu codi am symud ymaith, storio a gwaredu cerbydau a ganfyddir mewn ardal orfodi sifil.

**Tabl 2**

(1) <i>Eitem</i>	(2) <i>Math o dâl</i>	(3) <i>Swm y tâl</i>
1.	Y tâl am symud cerbyd ymaith	£105.00
2.	Y tâl am storio cerbyd	£12 ar gyfer pob diwrnod, neu ran o ddiwrnod, pan fydd y cerbyd yn cael ei gadw
3.	Y tâl am waredu cerbyd	£50.00

### Rhyddhau cerbyd o afael dyfais i'w rwystro rhag symud o dan adran 79 o Ddeddf Rheoli Traffig 2004

3. Rhaid i'r tâl sy'n daladwy o dan reoliad 14(2)(b) o'r Rheoliadau Darpariaethau Cyffredinol ar gyfer rhyddhau cerbyd o afael dyfais i'w rwystro rhag symud fod yn £40.

### Arbedion ar gyfer pwerau Gweinidogion Cymru

4. Nid oes dim yn y canllawiau hyn yn rhagfarnu nac yn effeithio ar bwerau Gweinidogion Cymru o dan baragraff 8(3) o Atodlen 9 i Ddeddf Rheoli Traffig 2004 i ganiatáu i awdurdod gorfodi i wyro oddi wrth y canllawiau hyn.

## Atodiad

### RHESTR O DRAMGWYDDAU LEFEL UWCH

1. Tramgwydd yn ymwneud â chyflawni trosedd o'r math y cyfeirir ato ym mharagraff 4(2)(b) (cyfyngiadau aros a llwytho) o Atodlen 7 i Ddeddf Rheoli Traffig 2004 ("Deddf 2004").

2. Tramgwydd yn ymwneud â gadael y cerbyd mewn man parcio ar-y-stryd ac eithrio fel a awdurdodir gan unrhyw orchymyn yn ymwneud â'r man parcio yn unrhyw un o'r achosion a ganlyn, neu oddi tano—

(4) An enforcement authority may set penalty charges in accordance with different bands in the table in different parts of its area, provided that all the charges in each part are set in accordance with the same band.

(5) "Higher level contraventions" are those listed in the Annex.

### Charges for the removal, storage and disposal of vehicles

2. Charges for the removal, storage and disposal of vehicles found in a civil enforcement area must be those in Table 2.

**Table 2**

(1) <i>Item</i>	(2) <i>Type of charge</i>	(3) <i>Amount of charge</i>
1.	Vehicle removal charge	£105.00
2.	Vehicle storage charge	£12 for each day, or part of day, during which the vehicle is impounded
3.	Vehicle disposal charge	£50.00

### Release of vehicle from an immobilisation device under section 79 of the Traffic Management Act 2004

3. The charge payable under regulation 14(2)(b) of the General Provisions Regulations for the release of a vehicle from an immobilisation device must be £40.

### Saving for powers of the Welsh Ministers

4. Nothing in these guidelines prejudices or affects the power of the Welsh Ministers under paragraph 8(3) of Schedule 9 to the Traffic Management Act 2004 to permit an enforcement authority to depart from these guidelines.

## Annex

### LIST OF HIGHER LEVEL CONTRAVENTIONS

1. A contravention involving the commission of an offence of the kind referred to in paragraph 4(2)(b) (waiting and loading restrictions) of Schedule 7 to the Traffic Management Act 2004 ("the 2004 Act").

2. A contravention involving the leaving of a vehicle in an on-street parking place otherwise than as authorised by or under any order relating to the parking place in any of the following cases—

- (a) heb fod yn dangos hawlen, taleb neu docyn talu ac arddangos;
- (b) mewn man lle mae parcio wedi cael ei atal;
- (c) pan fo'r cerbyd yn cael ei ddefnyddio mewn cysylltiad â gwerthu nwyddau neu gynnig neu arddangos nwyddau i'w gwerthu;
- (d) pan nad yw'r cerbyd yn dod o fewn y dosbarth o gerbyd y caniateir iddo barcio yno.

3. Tramgwyddo'r gwaharddiad a osodir gan adran 85 (parcio dwbl etc.) o Ddeddf 2004.

4. Tramgwyddo'r gwaharddiad a osodir gan adran 86 (troetffyrdd a ostyngwyd) o Ddeddf 2004.

5. Tramgwydd sy'n cynnwys cyflawni trosedd o'r math y cyfeirir ato ym mharagraff 4(2)(h) o Atodlen 7 i Ddeddf 2004 (troseddau sy'n ymwneud â llwybrau beiciau).

6. Tramgwydd sy'n cynnwys trosedd o'r math y cyfeirir ato ym mharagraff 4(2)(g) o Atodlen 7 i Ddeddf 2004 (parcio Cerbydau Nwyddau Trymion ar leiniau ymyl, lleiniau canol neu droetffyrdd).

7. Tramgwydd sy'n cynnwys trosedd o'r math y cyfeirir ato ym mharagraff 4(2)(c) (peri i gerbydau aros ar groesfannau i gerddwyr neu gerllaw iddynt) neu 4(2)(i)(i) (llinellau igam-ogam gerllaw croesfannau) o Atodlen 7 i Ddeddf 2004.

8. Tramgwydd sy'n cynnwys trosedd o'r math y cyfeirir ato ym mharagraff 4(2)(i)(ii) o Atodlen 7 i Ddeddf 2004 (marciau safleoedd bysiau neu arosfannau bysiau).

9. Tramgwydd sy'n ymwneud â throedd o'r math y cyfeirir ato ym mharagraff 4(2)(e) o Atodlen 7 i Ddeddf 2004 (parcio mewn mannau llwytho).

10. Tramgwydd sy'n ymwneud â throedd o'r math y cyfeirir ato ym mharagraff 4(2)(d) o Atodlen 7 i Ddeddf 2004 mewn perthynas â man parcio oddi-ar-y-stryd ac yn cynnwys unrhyw un neu rai o'r canlynol pan fo gorchymyn yn eu gwahardd mewn perthynas â'r man parcio—

- (a) defnyddio cerbyd mewn cysylltiad â gwerthu nwyddau neu gynnig neu arddangos nwyddau i'w gwerthu;
- (b) parcio mewn man cyfyngedig;
- (c) parcio mewn cilfan hawlenni heb arddangos hawlen;
- (d) parcio mewn man parcio i berson anabl heb arddangos yn gywir fathodyn dilys person anabl;

- (a) without displaying a permit, voucher or pay and display ticket;
- (b) in a place where parking has been suspended;
- (c) where the vehicle is used in connection with the sale of goods or the offering or exposure of goods for sale;
- (d) where the vehicle does not fall within the class of vehicle permitted to park there.

3. A contravention of the prohibition imposed by section 85 (double parking etc.) of the 2004 Act.

4. A contravention of the prohibition imposed by section 86 (dropped footways) of the 2004 Act.

5. A contravention consisting of the commission of an offence of the kind referred to in paragraph 4(2)(h) of Schedule 7 to the 2004 Act (offences relating to cycle tracks).

6. A contravention consisting of an offence of the kind referred to in paragraph 4(2)(g) of Schedule 7 to the 2004 Act (parking of HGVs on verges, central reservations or footways).

7. A contravention consisting of an offence of the kind referred to in paragraph 4(2)(c) (stopping vehicles on or near pedestrian crossings) or 4(2)(i)(i) (zig-zag lines near crossings) of Schedule 7 to the 2004 Act.

8. A contravention consisting of an offence of the kind referred to in paragraph 4(2)(i)(ii) of Schedule 7 to the 2004 Act (bus stop or bus stand markings).

9. A contravention involving an offence of the kind referred to in paragraph 4(2)(e) of Schedule 7 to the 2004 Act (parking in loading areas).

10. A contravention involving an offence of the kind referred to in paragraph 4(2)(d) of Schedule 7 to the 2004 Act relating to an off-street parking place and consisting of any of the following where prohibited by an order relating to the parking place—

- (a) using a vehicle in connection with the sale of goods or the offering or exposure of goods for sale;
- (b) parking in a restricted area;
- (c) parking in a permit bay without displaying a permit;
- (d) parking in a disabled person's parking place without correctly displaying a valid disabled person's badge;



(e) parcio cerbyd mewn man pan nad yw'r cerbyd yn dod o fewn y dosbarth o gerbyd y caniateir iddo barcio yno.

**11.** Tramgwydd lôn fysiau fel y'i disgrifir yn Rhan 2 o Atodlen 7 i Ddeddf 2004.

**12.** Tramgwydd traffig symudol fel y'i disgrifir yn Rhan 4 o Atodlen 7 i Ddeddf 2004.

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(e) parking a vehicle in a place where the vehicle does not fall within the class of vehicle permitted to park in that place.

**11.** A bus lane contravention as described in Part 2 of Schedule 7 to the 2004 Act.

**12.** A moving traffic contravention as described in Part 4 of Schedule 7 to the 2004 Act.

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