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CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2014 Rhif 1388 (Cy. 141)**

**2014 No. 1388 (W. 141)**

**TRAFFIG FFYRDD, CYMRU**

**ROAD TRAFFIC, WALES**

**Rheoliadau Symud Ymaith a  
Gwaredu Cerbydau (Diwygio)  
(Cymru) 2014**

**The Removal and Disposal of  
Vehicles (Amendment) (Wales)  
Regulations 2014**

**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 Gwaredu Sbwriel (Amwynder) 1978 (“Deddf 1978”) ac adrannau 99 a 101 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984 (“Deddf 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 (“the 1978 Act”) and sections 99 and 101 of the Road Traffic Regulation Act 1984 (“the 1984 Act”).

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 3 a 4 o Ddeddf 1978 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 99 a 101 o Ddeddf 1984 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004. Trosglwyddwyd y swyddogaethau hyn wedi hynny i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

The functions of the Secretary of State under sections 3 and 4 of the 1978 Act were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999. The functions of the Secretary of State under sections 99 and 101 of the 1984 Act were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 2004. These functions were subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

Mae'r Rheoliadau hyn yn diwygio rheoliad 5C o Reoliadau 1986 o ran Cymru (ac eithrio'r rhannau hynny o Groesfannau'r Hafren sydd yng Nghymru) drwy ddisodli cyfeiriadau anarferedig at offerynnau statudol sydd wedi eu dirymu gan Reoliadau Gorfodi Sifil ar Dramgwyddau Traffig Ffyrdd (Darpariaethau Cyffredinol) (Cymru) 2013.

These Regulations amend regulation 5C of the 1986 Regulations in relation to Wales (save for those parts of the Severn Crossings which are in Wales) by replacing obsolete references to statutory instruments that have been revoked by the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessment was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**2014 Rhif 1388 (Cy. 141)**

**TRAFFIG FFYRDD, CYMRU**

**Rheoliadau Symud Ymaith a  
Gwaredu Cerbydau (Diwygio)  
(Cymru) 2014**

*Gwnaed* 30 Mai 2014

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 3 Mehefin 2014

*Yn dod i rym* 27 Mehefin 2014

**2014 No. 1388 (W. 141)**

**ROAD TRAFFIC, WALES**

**The Removal and Disposal of  
Vehicles (Amendment) (Wales)  
Regulations 2014**

*Made* 30 May 2014

*Laid before the National Assembly for Wales*  
3 June 2014

*Coming into force* 27 June 2014

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 99(1) a (2) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(1), ac a freiniwyd bellach ynddynt hwy(2), ac ar ôl ymgynghori â chyrrff cynrychioliadol yn unol ag adran 134(2) o'r Ddeddf honno, yn gwneud y Rheoliadau a ganlyn:

**Enwi, cychwyn a chymhwys**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Symud Ymaith a Gwaredu Cerbydau (Diwygio) (Cymru) 2014 a deuant i rym ar 27 Mehefin 2014.

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

(3) Nid yw'r Rheoliadau hyn yn gymwys mewn perthynas â'r rhannau o Gymru a ganlyn—

- (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(3); neu

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 99(1) and (2) of the Road Traffic Regulation Act 1984(1), and now vested in them(2), and after consultation with representative organisations in accordance with section 134(2) of that Act, make the following Regulations:

**Title, commencement and application**

1.—(1) The title of these Regulations is the Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2014 and they come into force on 27 June 2014.

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

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

- (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(3); or

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(1) 1984 p. 27.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol dros Drafndiaeth o dan Ddeddf Rheoleiddio Traffig Ffyrdd 1984 i Gynulliad Cenedlaethol Cymru yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004 (O.S. 2004/3044). Trosglwyddwyd y swyddogaethau hyn i Weindogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (2006 p. 32).

(3) 1992 p. 3.

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(1) 1984 c. 27.

(2) The functions of the Secretary of State for Transport under the Road Traffic Regulation Act 1984 were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044). These functions were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c. 32).

(3) 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 i Orchymyn Cefnffordd Man i'r Gogledd o Almondsbury-Man i'r De o 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 o Ddosbarth I a II (fel a bennir yn Atodlen 4 i Ddeddf Priffyrdd 1980(2)) sy'n teithio tua'r dwyrain 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 of 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) Mae Rheoliadau Symud Ymaith a Gwaredu Cerbydau 1986(3) wedi eu diwygio yn unol â pharagraff (2).

(2) Yn rheoliad 5C—

- (a) ym mharagraff (1)(b) yn lle "Regulation 5 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008" rhodder "regulation 9 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013(4)".
- (b) ym mharagraff (4)—
- (i) yn y diffiniad o "outstanding" yn lle "Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008" rhodder "Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013";
- (ii) yn y diffiniad o "penalty charge", yn lle "regulation 3 of the Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008" rhodder "regulation 4 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013"; ac
- (iii) yn y diffiniad o "penalty charge notice", yn lle "regulation 4 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008" rhodder "regulation 8 of the Civil

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

2.—(1) The Removal and Disposal of Vehicles Regulations 1986(3) are amended in accordance with paragraph (2).

(2) In regulation 5C—

- (a) in paragraph (1)(b) for "Regulation 5 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008" substitute "regulation 9 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013(4)".
- (b) in paragraph (4)—
- (i) in the definition of "outstanding" for "Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008" substitute "Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013";
- (ii) in the definition of "penalty charge", for "regulation 3 of the Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008" substitute "regulation 4 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013"; and
- (iii) in the definition of "penalty charge notice", for "regulation 4 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008" substitute "regulation 8 of the Civil Enforcement of Road Traffic

(1) Rh. a G. S. 1947/1562.

(2) 1980 p. 66.

(3) O.S. 1986/183.

(4) O.S. 2013/362.

(1) S.R. & O. 1947/1562.

(2) 1980 c. 66.

(3) S.I. 1986/183.

(4) S.I. 2013/362.

Enforcement of Road Traffic  
Contraventions (General Provisions)  
(Wales) Regulations 2013”.

Contraventions (General Provisions)  
(Wales) Regulations 2013”.

*Edwina Hart*

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

30 Mai 2014

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

30 May 2014

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