OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2015 Rhif 706 (Cy. 57)

TRAFFIG FFYRDD, CYMRU

Rheoliadau Rasio Beiciau ar Briffyrdd (Diwygio) (Cymru) 2015

NODYN ESBONIADOL

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

Mae Rheoliadau Rasio Beiciau ar Briffyrdd 1960 ("Rheoliadau 1960") yn darparu ar gyfer awdurdodi rasio beiciau a threialon cyflymder ar briffyrdd cyhoeddus yng Nghymru a Lloegr o dan adran 31 o Ddeddf Traffig Ffyrdd 1988 ("Deddf 1988").

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 31 o Ddeddf 1988 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999. Trosglwyddwyd y swyddogaethau hyn wedi hynny i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 30 o Atodlen 11 iddi.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau 5 ac 8 o Reoliadau 1960 o ran Cymru drwy ddileu'r terfyn penodedig a osodwyd ar nifer y cystadleuwyr a gaiff gymryd rhan mewn ras feiciau, a rhoi yn ei le ofyniad bod hyrwyddwr y ras yn gwneud asesiad risg. Rhaid i'r asesiad risg asesu'r risgiau sy'n deillio o gynnal y ras i iechyd a diogelwch cystadleuwyr, swyddogion y ras, gwylwyr a defnyddwyr eraill y ffordd. Rhaid cyflwyno'r asesiad risg i'r swyddog priodol o'r heddlu heb fod yn llai na 28 o ddiwrnodau cyn dyddiad dechrau'r ras.

Mae'r Rheoliadau hyn hefyd yn gwneud mân newidiadau i'r amodau safonol a osodwyd ar rasys beiciau.

Mae gofyniad newydd hefyd yn cael ei osod ar y swyddog priodol o'r heddlu i ddarparu rhesymau ysgrifenedig i Ffederasiwn Beicio Prydain a hyrwyddwr y ras pan fo amodau wedi eu gosod ar ras feiciau.

2015 No. 706 (W. 57)

ROAD TRAFFIC, WALES

The Cycle Racing on Highways (Amendment) (Wales) Regulations 2015

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Cycle Racing on Highways Regulations 1960 ("the 1960 Regulations") provide for the authorisation of bicycle racing and trials of speed on public highways in England and Wales under section 31 of the Road Traffic Act 1988 ("the 1988 Act").

The functions of the Secretary of State under section 31 of the 1988 Act were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999. These functions were subsequently transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006.

These Regulations amend Regulations 5 and 8 of the 1960 Regulations in relation to Wales by removing the fixed limit imposed on the number of competitors that may participate in a bicycle race, and replacing it with a requirement for a risk assessment to be undertaken by the promoter of a race. The risk assessment must assess the risks to the health and safety of competitors, race officials, spectators and other road users arising out of the holding of the race. The risk assessment must be submitted to the appropriate officer of police not less than 28 days before the date of the commencement of the race.

These Regulations also make minor changes to the standard conditions imposed on bicycle races.

A new requirement is also imposed on the appropriate officer of police to provide written reasons to the British Cycling Federation and the promoter of the race where conditions are imposed on a bicycle race.

Lluniwyd Asesiad Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Gellir cael copi oddi wrth Adran yr Economi, Gwyddoniaeth a Thrafnidiaeth, Swyddfeydd Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

A Regulatory Impact Assessment has been prepared in relation to these Regulations. A copy can be obtained from the Department for Economy, Science and Transport, Welsh Government Offices, Cathays Park, Cardiff CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2015 Rhif 706 (Cy. 57)

TRAFFIG FFYRDD, CYMRU

Rheoliadau Rasio Beiciau ar Briffyrdd (Diwygio) (Cymru) 2015

Gwnaed — *10 Mawrth 2015*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru — *16 Mawrth 2015*

Yn dod i rym — *7 Ebrill 2015*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 31(2) a (3) o Ddeddf Traffig Ffyrdd 1988(**1**), ac sydd wedi eu breinio bellach ynddynt hwy(**2**) ac ar ôl ymgynghori â chyrff cynrychioladol yn unol ag adran 195(2) o'r Ddeddf honno, yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rasio Beiciau ar Briffyrdd (Diwygio) (Cymru) 2015 a deuant i rym ar 7 Ebrill 2015.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygiadau i Reoliadau Rasio Beiciau ar Briffyrdd 1960

2.—(1) Mae Rheoliadau Rasio Beiciau ar Briffyrdd 1960(**3**) wedi eu diwygio fel a ganlyn—

(2) Yn Rheoliad 5(1)(a)—

(a) yn lle paragraff (i) rhodder—

(**1**) 1988 p. 52.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol dros Drafnidiaeth o dan adran 31(2) o Ddeddf Traffig Ffyrdd 1988, ynghyd â swyddogaethau penodedig eraill o dan y Ddeddf honno, i Gynulliad Cenedlaethol Cymru yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac Atodlen 1 iddi. Trosglwyddwyd y swyddogaethau hyn i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (2006 p. 32), a pharagraff 30 o Atodlen 11 iddi.

(**3**) O.S. 1960/250, fel y'i diwygiwyd.

WELSH STATUTORY INSTRUMENTS

2015 No. 706 (W. 57)

ROAD TRAFFIC, WALES

The Cycle Racing on Highways (Amendment) (Wales) Regulations 2015

Made — *10 March 2015*

Laid before the National Assembly for Wales — *16 March 2015*

Coming into force — *7 April 2015*

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 31(2) and (3) of the Road Traffic Act 1988(**1**), and now vested in them(**2**) and after consulting with representative organisations in accordance with section 195(2) of that Act, make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is The Cycle Racing on Highways (Amendment) (Wales) Regulations 2015 and they come into force on 7 April 2015 .

(2) These Regulations apply in relation to Wales.

Amendments to The Cycle Racing on Highways Regulations 1960

2.—(1) The Cycle Racing on Highways Regulations 1960(**3**) are amended as follows—

(2) In Regulation 5(1)(a)—

(a) for paragraph (i) substitute—

(**1**) 1988 c. 52.

(**2**) The functions of the Secretary of State for Transport under section 31(2) of the Road Traffic Act 1988, along with other specified functions under that Act, were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1. These functions were transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (2006 c. 32).

(**3**) S.I. 1960/250, as amended.

"(i) the promoter of the race must complete a written risk assessment in accordance with paragraph (3) of this Regulation; ";

(b) ym mharagraff (iii) yn lle "ten miles; and" rhodder "five miles, and";

(c) hepgorer paragraff (iv).

(3) Yn Rheoliad 5, yn lle Rheoliad 5(1)(b) rhodder—

"(b) the promoter of the race, not less than twenty-eight days next before the day on which the race is to be held, or if it is to be held on more than one day, the day on which the race is to begin, gives to the appropriate officer of police in writing notice of the proposal to hold the race together with:

(i) the like particulars with respect to the race as are required by sub-paragraphs (a) to (e) of paragraph (1) of Regulation 3 to be given with respect to a proposed time trial;

(ii) a copy of the written risk assessment undertaken in accordance with sub-paragraph (a)(i) of paragraph (1) of Regulation 5; and

(iii) such further particulars relating to the race as may be sufficient to show that it is proposed to be held and conducted in accordance with the standard conditions".

(4) Yn Rheoliad 5 ar ôl paragraff (2) mewnosoder—

"(3) For the purposes of sub-paragraph (a) of paragraph (1) of this Regulation, a risk assessment must include—

(a) a suitable and sufficient assessment of the risks to the health and safety of competitors, race officials, spectators and other road users arising out of the holding of the race, having regard to the maximum number of competitors eligible to participate in the race; and

(b) details of appropriate actions that will be taken by the promoter of the race to ensure the safe operation of the race."

(5) Yn Rheoliad 8 ar ôl paragraff (4) mewnosoder—

"(i) the promoter of the race must complete a written risk assessment in accordance with paragraph (3) of this Regulation; ";

(b) in paragraph (iii) for "ten miles; and" substitute "five miles, and";

(c) omit paragraph (iv).

(3) In Regulation 5, for Regulation 5(1)(b) substitute—

"(b) the promoter of the race, not less than twenty-eight days next before the day on which the race is to be held, or if it is to be held on more than one day, the day on which the race is to begin, gives to the appropriate officer of police in writing notice of the proposal to hold the race together with:

(i) the like particulars with respect to the race as are required by sub-paragraphs (a) to (e) of paragraph (1) of Regulation 3 to be given with respect to a proposed time trial;

(ii) a copy of the written risk assessment undertaken in accordance with sub-paragraph (a)(i) of paragraph (1) of Regulation 5; and

(iii) such further particulars relating to the race as may be sufficient to show that it is proposed to be held and conducted in accordance with the standard conditions".

(4) In Regulation 5 after paragraph (2) insert—

"(3) For the purposes of sub-paragraph (a) of paragraph (1) of this Regulation, a risk assessment must include—

(a) a suitable and sufficient assessment of the risks to the health and safety of competitors, race officials, spectators and other road users arising out of the holding of the race, having regard to the maximum number of competitors eligible to participate in the race; and

(b) details of appropriate actions that will be taken by the promoter of the race to ensure the safe operation of the race."

(5) In Regulation 8 after paragraph (4) insert—

“(5) Where an appropriate officer of police decides to impose conditions on the holding or conduct of a bicycle race authorised by this Regulation, he must provide written reasons for the imposition of the conditions to the promoter of the race and the British Cycling Federation within five working days of making that decision.”

“(5) Where an appropriate officer of police decides to impose conditions on the holding or conduct of a bicycle race authorised by this Regulation, he must provide written reasons for the imposition of the conditions to the promoter of the race and the British Cycling Federation within five working days of making that decision.”

Darpariaethau trosiannol

3. Nid yw’r diwygiadau a wneir gan Reoliad 2 yn gymwys i unrhyw ras feiciau pan fo hyrwyddwr ras wedi rhoi hysbysiad ysgrifenedig, ar neu cyn y dyddiad y daw’r Rheoliadau hyn i rym, i’r swyddog priodol o’r heddlu yn unol â Rheoliadau Rasio Beiciau ar Briffyrdd 1960.

Transitional provisions

3. The amendments made by Regulation 2 do not apply to any bicycle race where, on or before the date these Regulations come into force, the promoter of a race has given written notice to the appropriate officer of police in accordance with The Cycle Racing on Highways Regulations 1960.

Edwina Hart

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

10 Mawrth 2015

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

10 March 2015

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ROAD TRAFFIC, WALES

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