
WELSH STATUTORY INSTRUMENTS

2014 No. 1388 (W. 141)

ROAD TRAFFIC, WALES

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

<i>Made</i>	- - - -	<i>30 May 2014</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>3 June 2014</i>
<i>Coming into force</i>	- -	<i>27 June 2014</i>

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
- (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(4) 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(5)) can leave that road by another special road.

(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.

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

(5) 1980 c. 66.

Amendment to the Removal and Disposal of Vehicles Regulations 1986

2.—(1) The Removal and Disposal of Vehicles Regulations 1986⁽⁶⁾ 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⁽⁷⁾”.

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

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

30 May 2014

⁽⁶⁾ S.I. 1986/183.
⁽⁷⁾ S.I. 2013/362.

EXPLANATORY NOTE

(This note is not part of the Regulations)

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”).

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.

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.

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.