

Changes to legislation: Learner Travel (Wales) Measure 2008, Cross Heading: Suspension is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F1}SCHEDULE A1

CIVIL SANCTIONS

Textual Amendments

- F1** Sch. A1 inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), s. 16\(2\), Sch.](#)

Suspension

- 22 (1) Where provision has been made by the Welsh Ministers conferring power on an enforcement authority other than themselves to impose a civil sanction in relation to a breach of safety regulations, the Welsh Ministers may direct the enforcement authority—
- (a) where the power is power to impose a fixed monetary penalty, not to serve any further notice of intent referred to in paragraph 3(1)(a) in relation to a breach of that kind;
 - (b) where the power is power to impose a discretionary requirement, not to serve any further notice of intent referred to in paragraph 5(1)(a) in relation to a breach of that kind;
 - (c) where the power is power to impose a stop notice, not to serve any further stop notices in relation to a breach of that kind;
 - (d) where the power is power to accept an enforcement undertaking, not to accept any further undertaking in relation to a breach of that kind.
- (2) The Welsh Ministers may only give a direction under sub-paragraph (1) in relation to a breach of safety regulations if they are satisfied that the enforcement authority has failed on more than one occasion—
- (a) to comply with any duty imposed on it under or by virtue of this Schedule in relation to a breach of that kind,
 - (b) to act in accordance with the guidance it has published under paragraph 18 in relation to a breach of that kind, or
 - (c) to act in accordance with the principles referred to in paragraph 20 or with other principles of best practice in relation to the enforcement of a breach of that kind.
- (3) The Welsh Ministers may by direction revoke a direction given by them under sub-paragraph (1) if they are satisfied that the enforcement authority has taken the appropriate steps to remedy the failure to which that direction related.
- (4) Before giving a direction under sub-paragraph (1) or (3) the Welsh Ministers must consult—
- (a) the enforcement authority, and
 - (b) such other persons as they consider appropriate.
- (5) Where the Welsh Ministers give a direction under this section, they must lay a copy before the National Assembly for Wales.
- (6) Where the Welsh Ministers give a direction under this section, the enforcement authority must—
- (a) publish the direction in such manner as the Welsh Ministers think fit, and

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- (b) take such other steps as the enforcement authority thinks fit or the Welsh Ministers may require to bring the direction to the attention of other persons likely to be affected by it.]

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Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 7(3)(a)(ai) inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(b\)](#)