WELSH STATUTORY INSTRUMENTS

2013 No. 360 (W. 42)

ROAD TRAFFIC, WALES

The Civil Enforcement of Road Traffic Contraventions (Approved Devices) (Wales) Order 2013

Made - - - -	*26 February 2013*
Laid before the National Assembly for Wales - -	*28 February 2013*
Coming into force - -	*25 March 2013*

The Welsh Ministers, in exercise of the power conferred upon the National Assembly for Wales by section 92(1) of the Traffic Management Act 2004(**1**) and now vested in them(**2**), make the following Order:

Title, commencement, application and interpretation

1.—(1) The title of this Order is the Civil Enforcement of Road Traffic Contraventions (Approved Devices) (Wales) Order 2013, it comes into force on 25 March 2013, and applies in relation to Wales.

(2) In this Order—

"the 2004 Act" ("*Deddf 2004*") means the Traffic Management Act 2004;

"EEA state" ("*Gwladwriaeth AEE*") means a state within the European Economic Area;

"road traffic contravention" ("*tramgwydd traffig ffyrdd*") means any of the following:

(a) a parking contravention as described in Part 1, paragraph 4 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;

"the specified requirements" ("*y gofynion a bennir*") means the requirements specified in the Schedule to this Order; and

"the statutory purposes" ("*y dibenion statudol*") means the purposes of regulations relating to the civil enforcement of road traffic contraventions under section 72(4)(a) of the Traffic Management Act 2004.

(**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 section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

Approved devices

2.—(1) A device is an approved device for the statutory purposes, if it is of a type which has been certified by the Welsh Ministers as one which meets the specified requirements.

(2) A device will be taken to meet the specified requirements where evidence has been produced that satisfies the Welsh Ministers that the device in question has been found by a competent authority in an EEA state to meet the requirements of an EEA standard which requires a level of performance equivalent to that required by the specified requirements.

(3) In paragraph (2) "EEA standard" ("safon AEE") means—

(a) a standard or code of practice of a national standards body or equivalent body of any EEA state;

(b) any international standard recognised for use as a standard or code of practice by any EEA state; or

(c) a technical specification recognised for use as a standard by a public authority of any EEA state.

Revocation

3. The Civil Enforcement of Parking Contraventions (Approved Devices) (Wales) (No.2) Order 2008(**3**) is hereby revoked.

Carl Sargeant
Minister for Local Government and Communities, one of the Welsh Ministers

26 February 2013

(**3**) SI 2008/1215 (W.123).