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WELSH STATUTORY INSTRUMENTS

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**2006 No. 2826 (W.249) (C.97)**

**TRANSPORT, WALES**

The Traffic Management Act 2004  
(Commencement No. 1) (Wales) Order 2006

Made - - - - 25 October 2006

The National Assembly for Wales, in exercise of the powers conferred by section 99(1) of the Traffic Management Act 2004<sup>(1)</sup> hereby makes the following Order:

**Title, application and interpretation**

1.—(1) The title of this Order is the Traffic Management Act 2004 (Commencement No. 1) (Wales) Order 2006.

(2) Provisions brought into force by this Order are brought into force in relation to Wales.

(3) In this Order “the Act” (*y Ddeddf*) means the Traffic Management Act 2004.

**Appointed day**

2.—(1) The provisions of the Act specified in paragraph (2) below are to come into force on 26 October 2006.

(2) The provisions are—

- (a) sections 5(4), 5(5) and section 10;
- (b) sections 16 to 31;
- (c) sections 72 to 93;
- (d) sections 94, 95 and 96;
- (e) section 98, insofar as it relates to Part 2 of Schedule 12 (and accordingly Part 2 of Schedule 12).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

25 October 2006

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Traffic Management Act 2004 (c. 18) (“the Act”) received Royal Assent on 22nd July 2004.

The purpose of the Act is to provide the basis for improving conditions for all road users through management of the national and local road networks.

Section 99(1) of the Act provides the National Assembly for Wales with the power to bring into force such sections as it sees fit on such day as it may appoint.

The Act is divided into 7 parts. This Order will commence sections 5(4), 5(5) (special powers of a traffic officer) and section 10 (offences) of Part 1, Part 2 in its entirety (network management by local traffic authorities), Part 6 in its entirety (civil enforcement of traffic contraventions) and sections 94 (power to inspect blue badges), 95 (application or surplus income from parking places), 96 (specific provisions in relation to Wales) and 98 (repeals).

Specifically sections 5(4), 5(5) and 10 of Part 1 of the Act enable the National Assembly for Wales or the Chief Officer of Police for the area in which the road is situated, to give permission to the Highways Agency Traffic Officers to utilise their special powers over boundary and border areas in Wales where appropriate. It also provides that offences committed against English traffic officers whilst carrying out their duties under section 5 in Wales, will be punishable in Wales.

Part 2 of the Act (sections 16 to 31) imposes a duty on all local traffic authorities to secure the expeditious movement of traffic on their road networks and to facilitate such movement on other authorities' networks.

Part 6 of the Act (sections 72 to 93) includes powers providing a single framework to make regulations for the civil enforcement by local authorities of parking and waiting restrictions, bus lanes and some moving traffic offences. These regulations will replace existing powers in national legislation. Part 6 will enable regulations to be made giving local authorities in Wales civil enforcement powers to cover some moving traffic offences using camera evidence and additional powers in respect of parking enforcement. The Act also gives the National Assembly for Wales a reserve power to direct a local authority to apply for civil enforcement powers.

Section 94 introduces amendments to enactments in relation to the inspection of “blue badges”.

Section 95 introduces amendments to the Road Traffic Regulation Act 1984 with regard to the application of surplus income from parking spaces.

Section 96 relates to the amendment of functions previously transferred to the National Assembly for Wales under S.I.1999/672.

Section 98 brings into force Part 2 of Schedule 12 which deals with repeals.