

Constitutional and Legislative Affairs Committee
Statutory Instruments with Clear Reports
20 April 2015

CLA512 – The Cycle Racing (Amendment) (Wales) Regulations 2015

Procedure: Negative

These Regulations amend and update the Cycle Racing on Highways Regulations 1960 to reflect current road conditions and modern approaches to public and competitor safety.

CLA514 – The Housing (Wales) Act (Consequential Amendments) Regulations 2015

Procedure: Negative

These Regulations make consequential amendments to the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996 in light of the Housing (Wales) Act 2015.

Regulations are being used to amend an Order. This is not normally permissible, but is appropriate in relation to Consequential Amendments.

CLA515 – The Plant Health (Fees) (Wales) (Amendment) Regulations 2015

Procedure: Negative

These Regulations amend the Plant Health (Fees) (Wales) Regulations 2014 (S.I. 2014/1792 (W. 185)) (“the principal Regulations”).

The principal Regulations implement Article 13d of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ No L 169, 10.7.2000, p. 1) (“the Directive”). Article 13d of the Directive requires Member States to charge fees to cover the costs of documentary, identity and plant health checks of

certain imports of plants, plant products and other objects from third countries set out in Annex V, Part B of the Directive.

Regulation 3 amends regulation 2(3) of the principal Regulations to clarify the fees that are payable in respect of plant health checks carried out on consignments (or parts of consignments) outside daytime working hours.

Schedule 2 to the principal Regulations sets out reduced rate fees for certain plants and plant products which are subject to reduced levels of plant health checks agreed under the procedure provided for in Articles 13a(2) and 18(2) of the Directive. Regulation 4 of these Regulations amends Schedule 2 to give effect to the notification published by the European Commission on 30 September 2014 of the reduced levels of plant health checks which are applicable to certain plants and plant products.

The Explanatory Memorandum confirms that there have been no direct imports of these products into Wales since the date of the Commission notification. Accordingly, no importers have been disadvantaged by the time that has elapsed since the introduction of the reduced checks was permitted.

CLA516 – The Use of Invalid Carriages on Highways (Amendment) (Wales) Regulations 2015

Procedure: Negative

The Use of Invalid Carriages on Highways Regulations 1988 (“the 1988 Regulations”) make provision regarding the requirements with which invalid carriages must comply, and the conditions in accordance with which invalid carriages must be used, in order to benefit from certain exemptions from road traffic legislation which are set out in section 20 of the Chronically Sick and Disabled Persons Act 1970.

These Regulations substitute regulation 7 of the 1988 Regulations to introduce a new requirement which relates to invalid carriages which include necessary user equipment.

CLA520 – The Agricultural Holdings (Units of Production) (Wales) Order 2015

Procedure: Negative

This Order prescribes units of production for the assessment of the productive capacity of agricultural land situated in Wales. It also sets out the amount which is to be regarded as the net annual income from each such unit for the year 12 September 2014 to 11 September 2015 for certain purposes of the Agricultural Holdings Act 1986 (“the 1986 Act”). This Order revokes the Agricultural Holdings (Units of Production) (Wales) Order 2014 (S.I. 2014/41 (W.3)).

CLA521 – The M4 Motorway (West of Junction 23A (Magor) to East of Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2015

Procedure: Negative

These regulations provide for variable speed limits along a length of the M4 around Newport. These regulations revoke the corresponding regulations of 2011 because some stretches of the M4 entry/exit slip roads are covered by both the 2011 regulations and other road traffic orders. These regulations remove that overlap and ensure that each stretch of this part of the M4 is regulated by one instrument only.

CLA517 – The Anti-social Behaviour, Crime and Policing Act 2014 (Consequential Amendments) (Wales) Order 2015

Procedure: Affirmative

This Order makes consequential amendments to the Housing Act 1996 (the ‘1996 Act’) arising as a result of the Anti-social Behaviour, Crime and Policing Act 2014 (the ‘2014 Act’).

Section 160A of the 1996 Act provides that a local authority must not allocate housing accommodation to ineligible persons. Section 160A(8)

provides that behaviour which would entitle the local authority to a possession order under the Housing Act 1985 (the '1985 Act') would render the person who engaged in that behaviour ineligible.

The 2014 Act amended the 1985 Act to add a new ground for possession. This Order makes consequential amendments to the 1996 Act so that it now additionally refers to the new ground for possession.