

Draft of an Order to be laid before the National Assembly for Wales and Parliament under section 95(5) of the Government of Wales Act 2006, for approval by resolution of the Assembly and of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

CONSTITUTIONAL LAW

DEVOLUTION, WALES

**The National Assembly for Wales (Legislative Competence)
(Highways and Transport) Order 2009**

Made - - - - []

Coming into force in accordance with Article 1

At the Court at Buckingham Palace, the day of 2009

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 95(5) of the Government of Wales Act 2006(a), a draft of this Order has been laid before, and approved by resolution of, the National Assembly for Wales and each House of Parliament.

Accordingly, Her Majesty, in pursuance of section 95(1) of the Government of Wales Act 2006, is pleased, by and with the advice of Her Privy Council, to order as follows:-

Citation and commencement

1. This Order may be cited as the National Assembly for Wales (Legislative Competence) (Highways and Transport) Order 2009 and comes into force on the day after the day on which it is made.

Amendments to Schedule 5 to the Government of Wales Act 2006

2.—(1) Part 1 of Schedule 5 to the Government of Wales Act 2006 is amended in accordance with this article.

(2) In field 10 (highways and transport), after matter 10.1 insert—

(a) 2006 c.32.

“Matter 10.2

Provision imposing duties on highway authorities in Wales in relation to the development and maintenance of networks of highways for use primarily by pedestrians or cyclists or both.”

Name

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 5 to the Government of Wales Act 2006 (“the 2006 Act”). The effect of the Order is to extend the legislative competence of the National Assembly of Wales to make new laws for Wales by Measure under section 93 of the 2006 Act.

The amendment relates to field 10 (highways and transport) in Part 1 of Schedule 5 to the 2006 Act. Article 2(2) inserts matter 10.2, which extends the legislative competence of the National Assembly for Wales to include the development and maintenance of networks of routes for pedestrians and cyclists.

This extended legislative competence of the National Assembly for Wales is subject to the general limitations that apply to the exercise of such competence by virtue of Part 3 of the 2006 Act.

A full regulatory impact assessment has not been prepared for this Order as no impact on the private or voluntary sectors is foreseen.