



**ADRODDIAD GAN Y
PWYLLGOR DEDDFAU**

**LEGISLATION COMMITTEE
REPORT**

The Countryside and Rights of Way Act 2000 (Commencement No 9 and Saving) (Wales) Order 2006

This Order commences provisions of the Countryside and Rights of Way Act 2000 ("the Act") which require highway authorities to have regard to the needs of persons with mobility problems when erecting stiles and gates across footpaths and bridleways. The Order also commences some technical provisions of the Act and clarifies the effect of provisions previously commenced.

Standing Order 11.7

The following point has been identified under Standing Order 11.7.

Article 2(a) seeks to clarify a provision contained in the Countryside and Rights of Way Act 2000 (Commencement No 4) (Wales) Order 2004 ("the No 4 Order"). That Order purported to commence the repeal of paragraphs 1, 6 and 9(5) of Schedule 6 to the Act. However the No 4 order did not provide for the partial commencement of section 57 which is the section of the Act which gives effect to the provisions of Schedule 6. This Order seeks to commence the paragraphs 1, 6 and 9(5) of Schedule 6.

The Welsh text of article 2(a)(i) gives effect to intention referred to above

However, the words "to the extent that it is not in force" in article 2(a)(i) could cause the reader to infer that article 2(a)(i) partially commences section 57 rather than paragraphs 1, 6, and 9(5). To

ensure clarity the text should be amended. [Standing Order 11.7(v)]

This minor drafting error is suitable for correction by means of a Memorandum of Corrections.

Observations

Nil.

David Melding AM

Chair, Legislation Committee

28 November 2006