

2023 Rhif (Cy.)

2023 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Cefnffordd yr A40  
(Cylchfan Rhaglan i Gylchfan  
Hardwick, y Fenni, Sir Fynwy)  
(Terfyn Cyflymder 50 mya Dros  
Dro) 2023

The A40 Trunk Road (Raglan  
Roundabout to Hardwick  
Roundabout, Abergavenny,  
Monmouthshire) (Temporary 50  
mph Speed Limit) Order 2023

Gwnaed 31 Awst 2023

Made 31 August 2023

Yn dod i rym 12 Medi 2023

Coming into force 12 September 2023

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer cefnffordd yr A40, wedi eu bodloni y dylid cyfyngu ar draffig ar ddarn penodedig o'r gefnffordd oherwydd y tebygolrwydd o berygl i'r cyhoedd.

The Welsh Ministers, as traffic authority for the A40 trunk road, are satisfied that traffic on a specified length of the trunk road should be restricted because of the likelihood of danger to the public.

Mae Gweinidogion Cymru, felly, drwy arfer y pwerau a roddir iddynt gan adran 14(1), (4) a (7) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(1), yn gwneud y Gorchymyn hwn.

The Welsh Ministers, therefore, in exercise of the powers conferred upon them by section 14(1), (4) and (7) of the Road Traffic Regulation Act 1984(1), make this Order.

Enwi a chychwyn

Title and commencement

1. Enw'r Gorchymyn hwn yw Gorchymyn Cefnffordd yr A40 (Cylchfan Rhaglan i Gylchfan Hardwick, y Fenni, Sir Fynwy) (Terfyn Cyflymder 50 mya Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 12 Medi 2023.

1. The title of this Order is the A40 Trunk Road (Raglan Roundabout to Hardwick Roundabout, Abergavenny, Monmouthshire) (Temporary 50 mph Speed Limit) Order 2023 and this Order comes into force on 12 September 2023.

Dehongli

Interpretation

2. Yn y Gorchymyn hwn—  
ystyr "cerbyd esempt" ("exempted vehicle") yw—

2. In this Order—  
"exempted vehicle" ("cerbyd esempt") means—

(1) 1984 p. 27; amnewidiwyd adran 14 gan adran 1(1) o Ddeddf Traffig Ffyrdd (Cyfyngiadau Dros Dro) 1991 (p. 26) ac Atodlen 1 iddi. Yn rhinwedd O.S. 1999/672, ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi, mae'r swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

(1) 1984 c. 27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c. 26), section 1(1) and Schedule 1. By virtue of S.I. 1999/672, and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), these functions are now exercisable by the Welsh Ministers in relation to Wales.

- (a) unrhyw gerbyd sy'n cael ei ddefnyddio at y dibenion a ddisgrifir yn adran 87 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(1);
- (b) unrhyw gerbyd sy'n cael ei ddefnyddio at ddibenion y llynges, y fyddin neu'r llu awyr ac sy'n cael ei yrru gan berson sydd am y tro yn ddarostyngedig i orchmynion aelod o luoedd arfog y Goron, sy'n aelod o'r lluoedd arbennig—
  - (i) ac sydd wedi ei hyfforddi i yrru ar gyflymderau uchel ac sy'n gweithredu wrth ymateb, neu wrth ymarfer ymateb, i argyfwng diogelwch gwladol; neu
  - (ii) at ddiben hyfforddi person i yrru cerbydau ar gyflymderau uchel;

ystyr “y gefnffordd” (“*the trunk road*”) yw cefnffordd yr A40 Rhaglan i Lanymddyfri;

ystyr “lluoedd arbennig” (“*special forces*”) yw'r unedau hynny o'r lluoedd arfog y mae Cyfarwyddwr y Lluoedd Arbennig yn gyfrifol am gynnal eu galluoedd neu sydd am y tro yn ddarostyngedig i reolaeth weithredol y Cyfarwyddwr hwnnw.

## Cyfyngiad

3. Ni chaiff neb yrru unrhyw gerbyd modur, ac eithrio cerbyd esempt, yn gyflymach na 50 milltir yr awr ar y darn o'r gefnffordd sy'n ymestyn o'i chyffordd ag ochr orllewinol Cylchfan Rhaglan hyd at ei chyffordd ag ochr ddeheuol Cylchfan Hardwick, y Fenni, Sir Fynwy.

## Cymhwyso

4. Ni fydd y cyfyngiad yn erthygl 3 yn gymwys ond ar yr adegau hynny ac i'r graddau hynny y bydd arwyddion traffig yn eu dangos.

## Atal Dros Dro

5. Mae unrhyw ddarpariaethau statudol sy'n cyfyngu ar gyflymder cerbydau ar y darn o'r gefnffordd wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiad a bennir yn erthygl 3 yn weithredol.

(1) Diwygiwyd adran 87 gan baragraff 55 o Atodlen 1 i Ddeddf y Gwasanaethau Tân ac Achub 2004 (p. 21), paragraff 42 o Atodlen 4 i Ddeddf Troseddau Cyfundrefnol Difrifol a'r Heddlu 2005 (p. 15), paragraff 29(2) o Atodlen 8 i Ddeddf Troseddau a'r Llysoedd 2013 (p. 22) ac adran 50(4) a (5) o Ddeddf Dadreoleiddio 2015 (c. 20).

- (a) any vehicle being used for the purposes described in section 87 of the Road Traffic Regulation Act 1984(1);
- (b) any vehicle being used for naval, military or air force purposes and being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown, who is a member of the special forces—
  - (i) in response, or for practice in responding, to a national security emergency by a person who has been trained in driving at high speeds; or
  - (ii) for the purpose of training a person in driving vehicles at high speeds;

“special forces” (“*lluoedd arbennig*”) means those units of the armed forces the maintenance of whose capabilities is the responsibility of the Director of Special Forces or which are for the time being subject to the operational command of that Director;

“the trunk road” (“*y gefnffordd*”) means the A40 Raglan to Llandovery trunk road.

## Restriction

3. No person may drive any motor vehicle, other than an exempted vehicle, at a speed exceeding 50 miles per hour on the length of the trunk road that extends from its junction with the western side of Raglan Roundabout to its junction with the southern side of Hardwick Roundabout, Abergavenny, Monmouthshire.

## Application

4. The restriction in article 3 applies only during such times and to such extent as indicated by traffic signs.

## Suspension

5. Any statutory provisions restricting the speed of vehicles on the length of the trunk road are suspended during such times as the restriction specified in article 3 is in operation.

(1) Section 87 was amended by the Fire and Rescue Services Act 2004 (c. 21), Schedule 1, paragraph 55, the Serious Organised Crime and Police Act 2005 (c. 15), Schedule 4, paragraph 42, the Crime and Courts Act 2013 (c. 22), Schedule 8, paragraph 29(2) and the Deregulation Act 2015 (c. 20), section 50(4) and (5).

**Cyfnod para'r Gorchymyn hwn**

6. Bydd y Gorchymyn hwn yn para am 18 mis ar y mwyaf.

Llofnodwyd ar ran y Dirprwy Weinidog Newid Hinsawdd, yn gweithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig

31 Awst 2023

*Nicci Hunter*  
Arweinydd y Tîm Busnes  
Llywodraeth Cymru

**Duration of this Order**

6. The maximum duration of this Order is 18 months.

Signed on behalf of the Deputy Minister for Climate Change, acting under the authority of the Minister for Climate Change, one of the Welsh Ministers.

Dated

31 August 2023

*Nicci Hunter*  
Business Team Leader  
Welsh Government