

STATUTORY INSTRUMENTS
1976 No. 760

D/DS23/6/25



**The Cwm Gwddi
Range
Byelaws
1976**

Made by the Secretary of State for Defence, under the provisions of the Military Lands Act 1892, for regulating the use of the above-mentioned range.

STATUTORY INSTRUMENTS

1976

No. 760

DEFENCE

THE CWM GWDI RANGE BYELAWS

Made 14th May 1976

Coming into operation 26th July 1976

The Secretary of State for Defence, in exercise of his powers under Part II of the Military Lands Act 1892(a), Section 2 of the Defence (Transfer of Functions) Act 1964(b) and of all other powers enabling him in that behalf hereby makes the following Byelaws:—

AREA OF LAND AFFECTED

1. The area to which these Byelaws apply (hereinafter referred to as “the Danger Area”) consists of lands (in part belonging to the Secretary of State and in part lands which the Secretary of State has a right to use for defence purposes) in the parishes of St David’s Without, Cantref and Modrydd in the County of Powys known as the Cwm Gwdi Range the boundaries of which are for convenience of identification marked with a thick black line on the plan hereto annexed and identified as “Plan of the Cwm Gwdi Range.”

USE OF DANGER AREA

2. The Danger Area may be used for the firing of rifles, machine guns, and other small arms weapons and for all activities ancillary to such firing.

PROHIBITION OF ACCESS

3. (1) When the Danger Area is being used for any of the military purposes specified in Byelaw No 2, no person shall:—
- (a) enter into or upon or pass over or through the Danger Area, or
 - (b) be or remain in or upon the Danger Area, or
 - (c) cause or permit or suffer any vehicle, animal, aircraft or thing to enter into or upon or to pass through or to be or remain in or upon the Danger Area, or
 - (d) cause or permit any aircraft to fly over the Danger Area at a height less than 152 metres (500 feet) above ground level.

(a) 55 & 56 Vict. c.43.

(b) 1964 c.15.

- (2) Whilst the Danger Area is being used for any of the said military purposes, notice of the fact shall be given by the display of the following signals, that is to say, by the display of a red flag by day and a red light by night hoisted at the following places:—
- (a) at the cattle grid adjoining the car park approximately 200 metres east by north of the Range Warden's hut;
 - (b) at the Range Warden's hut approximately 206 metres west-south-west of the car park;
 - (c) near the Stop Butts approximately 260 metres south-south-west of the Range Warden's hut;
 - (d) at Allt Ddu approximately 850 metres south of the Range Warden's hut and approximately 1320 metres south-west of Plas-y-Gaer Farm;
 - (e) On Cefn Cwm Llwhch approximately 1890 metres north-north-east of the summit of Pen-y-Fan and approximately 1297 metres south-south-west of the Range Warden's hut;
 - (f) on Twyn-cil-rhew approximately 707 metres south-west by west of the Range Warden's hut and approximately 810 metres south-east by east of Wenallt.

PROJECTILES

4. No person shall dig or search for any projectile or any lead or other metal in or on the Danger Area, or interfere with or take or retain or be in possession of any projectile or any lead or other metal found within the Danger Area, or remove any projectile from the Danger Area.

GOVERNMENT STORES

5. No person shall interfere with or remove from the Danger Area any stores or articles belonging to or under the care or control of the Ministry of Defence or otherwise the property of the Crown.

OFFENCES

6. Subject to the provisions of Byelaw No 8 any person doing anything prohibited by or otherwise contravening any provision of any of the preceding Byelaws Nos 3, 4 and 5 thereby commits an offence against the Byelaw so contravened.

ENFORCEMENT

7. The following persons are hereby authorised to remove from the Danger Area and to take into custody without warrant any person found therein when it is being used for any of the purposes specified in Byelaw No 2 or found committing any other offence

against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, aircraft or thing found in the Danger Area in contravention of any of the said Byelaws:—

- (a) the General Officer Commanding the Army District;
- (b) the Officer in Charge of the Cwm Gwdi Range;
- (c) any officer, warrant officer, non-commissioned officer, or rating of corresponding rank or any Service policeman, in uniform and being for the time being under the Command of the said General Officer Commanding or the Officer in Charge of the Cwm Gwdi Range;
- (d) any person authorised in writing by or on behalf of the said General Officer Commanding or the Officer in Charge of the Cwm Gwdi Range, and
- (e) any member of a police force, or any special constable under the control of the Defence Council.

EXEMPTIONS

8. (1) Nothing done by a person using the Danger Area in pursuance of Byelaw No 2 or by a person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State or the General Officer Commanding the Army District or the Officer in Charge of the Cwm Gwdi Range shall constitute an offence against any of these Byelaws.
- (2) If it is proved that an act or omission of any person which would otherwise have been an offence against any of the provisions of paragraph (1) of Byelaw No. 3 was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be an offence against that Byelaw.

INTERPRETATION

9. (1) The Interpretation Act 1889(c) shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act of Parliament.
- (2) In these Byelaws the expression:—
 “projectile” includes any shot or shell or other missile and any portion thereof;
 “aircraft” includes any craft or contrivance which though not an aircraft is for the time being airborne.

COMMENCEMENT, CITATION AND REVOCATION

10. (1) These Byelaws shall come into operation on the 26th day

of July 1976, and may be cited as the Cwm Gwdi Range Byelaws 1976.

- (2) The Byelaws in respect of the Brecon Beacons Rifle Range dated the 31st day of March 1905(d) are hereby revoked.

Dated this 14th day of May 1976.

(Signed) M. H. TALLBOYS

By order of the Secretary of State for Defence

NOTICES

PENALTY FOR OFFENCES

1. By Section 17(2) of the Military Lands Act 1892, as amended by Section 92 of and Schedule 3 to the Criminal Justice Act 1967, it is provided:—

If any person commits an offence against any Byelaw under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding TWENTY POUNDS, and may be removed by any Constable or Officer authorised in manner provided by the Byelaw from the area, whether land or water, to which the Byelaw applies, and taken into custody without Warrant, and brought before a Court of Summary Jurisdiction to be dealt with according to law, and any vehicle, animal, vessel, or thing found in the area in contravention of any Byelaw, may be removed by any Constable or such Officer as aforesaid, and on due proof of such contravention, be declared by a Court of Summary Jurisdiction to be forfeited to Her Majesty.

INSPECTION OF BYELAWS AND PLAN

2. A copy of these Byelaws and a plan showing the Danger Area may be inspected at the Police Station, Brecon. They may also be inspected at the office of the Senior Estate Surveyor Wales (Mid.), Property Services Agency, Department of the Environment, The Barracks, Brecon LD3 7EA where copies of the Byelaws may be obtained at the price of five pence (5p) for each copy.

RECOVERY OF PROJECTILES

3. Any person who finds a projectile within the Danger Area must not disturb it but should report the finding of it to the Range Wardens or to the police at the first opportunity.

PUBLIC NOTIFICATION OF FIRING

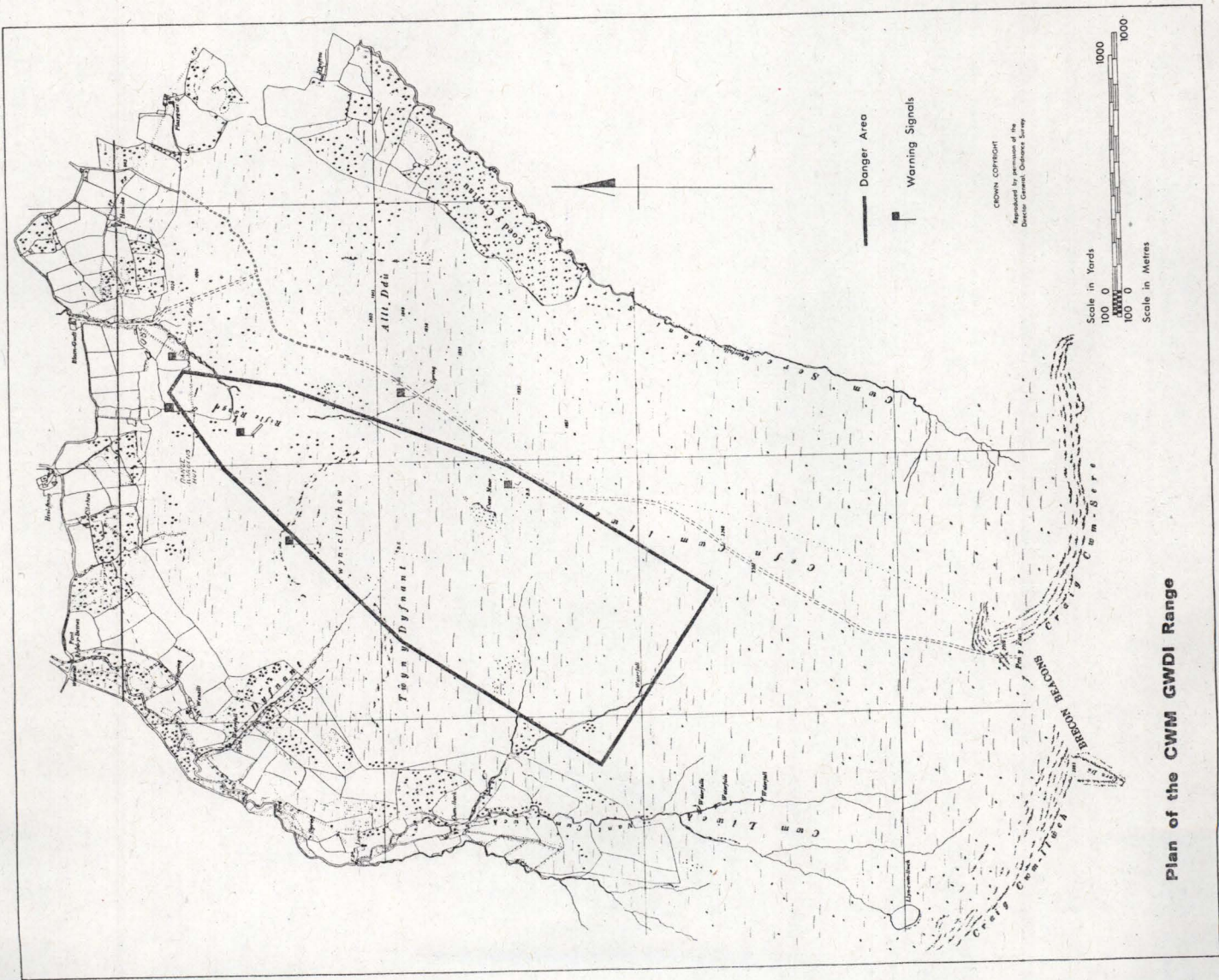
4. Public notification that firing will take place will be given by sending notices, not less than seven days before the day or night of firing, giving particulars of the intended date, time and duration of the firing to the persons and authorities listed in the Appendix hereto. Any person who wishes to obtain additional information about firing times should telephone Dering Lines (Brecon 3111 Ext 402) or Cwm Gwddi Rifle Range (Brecon 305).

APPENDIX

Superintendent of Police, Dyfed-Powys Constabulary, Lion Street, Brecon.

National Park Officer, Brecon Beacons National Park Committee, 7 Glamorgan Street, Brecon.

Senior Estate Surveyor Wales (Mid), Department of the Environment, Property Services Agency, The Barracks, Brecon LD3 7EA.



Plan of the CWM GWDI Range

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