



# Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

## PART 6

### MISCELLANEOUS AND GENERAL PROVISION

#### 70 Ancillary provision

- (1) The Welsh Ministers may by order make such incidental, consequential, supplemental, transitional, transitory or savings provision as they consider appropriate for the purposes of, or in connection with, giving full effect to, any provision made by or under this Act.
- (2) An order under this section may modify this or any other enactment.

#### 71 Orders and regulations

- (1) Any power of the Welsh Ministers to make an order or regulations under this Act (other than an order under section 47) is exercisable by statutory instrument and includes power to—
  - (a) make incidental, consequential, supplemental, transitional, transitory or savings provision as the Welsh Ministers consider necessary or expedient for the purposes of, or in connection with, this Act,
  - (b) modify any enactment (including this Act), and
  - (c) make different provision for different purposes and areas.
- (2) A statutory instrument which contains—
  - (a) an order under section 34(3)(e) or 70(1),
  - (b) an order under section 37(1) which includes provision altering the area of a principal council or a preserved county or which abolishes a principal area, or
  - (c) regulations under section 41(1),

*Status: Point in time view as at 01/05/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, PART 6. (See end of Document for details)*

is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.

- (3) Despite subsection (2), any statutory instrument containing an order or regulations made under this Act which includes provision adding to, replacing or omitting any part of the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales is not to be made until a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.
- (4) This section does not apply to an order made under section 45 or 75.

## 72 Interpretation

- (1) In this Act, unless the context otherwise requires—
- “1972 Act” means the Local Government Act 1972 (c. 70),
  - “2011 Measure” means the Local Government (Wales) Measure 2011 (nawm 4),
  - “community meeting” is a meeting of the local government electors for a community convened under section 27(1) of the 1972 Act,
  - “enactment” includes an enactment comprised in subordinate legislation,
  - “local authority” means a principal council or a community council,
  - “local government area” means a principal area or a community,
  - “modify”, in relation to an enactment, includes amend or repeal,
  - “principal area” means a county or a county borough in Wales,
  - “principal council” means a county council or a county borough council in Wales.
- (2) Schedule 3 (index of defined expressions) has effect.

## 73 Minor and consequential amendments and repeals

- (1) Schedule 1 (which makes minor and consequential amendments) has effect.
- (2) Schedule 2 (which contains repeals of legislation) has effect.

## 74 Ongoing reviews and other savings

- (1) Any review being conducted under Part 4 of the 1972 Act at the time of the coming into force of Part 3 of this Act is to be completed under Part 4 of the 1972 Act.
- (2) Part 4 of the 1972 Act (and any orders or regulations made under that Part) continues in effect for the purpose of such reviews.
- (3) Any regulations made under section 67 of the 1972 Act (regulations in connection with implementation of recommendations and proposals under Part 4 of that Act) which are in force at the date of commencement of this section are to have effect in relation to orders under Part 3 of this Act (orders implementing changes following reviews) as if those orders were made under Part 4 of the 1972 Act.
- (4) Subsection (3) has effect only in so far as any regulations made under section 41 of this Act do not make provision to the contrary.

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## **75 Commencement**

- (1) The following provisions come into force on the day on which this Act receives Royal Assent—
  - (a) section 1;
  - (b) section 70;
  - (c) section 71;
  - (d) section 72 (and Schedule 3);
  - (e) this section;
  - (f) section 76.
- (2) The following provisions come into force at the end of the period of 2 months beginning with the day on which this Act receives Royal Assent—
  - (a) Part 2;
  - (b) Part 3;
  - (c) Part 4;
  - (d) Sections 51 to 54, 59 to 62, 64 to 67, 73 (and Schedules 1 and 2) and section 74.
- (3) The remaining provisions of this Act come into force on a day appointed by order made by statutory instrument made by the Welsh Ministers.
- (4) An order under this section—
  - (a) may appoint different days for different purposes, and
  - (b) may include such transitional, transitory or savings provision as the Welsh Ministers consider necessary or expedient.

## **76 Short title**

The short title of this Act is the Local Government (Democracy) (Wales) Act 2013.

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