



# Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

## PART 3

### ARRANGEMENTS FOR LOCAL GOVERNMENT

#### CHAPTER 5

##### IMPLEMENTATION FOLLOWING REVIEW

*Further provision about implementation and implementation orders*

#### **40 Implementation orders: consequential provision**

- (1) An order made by the Welsh Ministers, the Commission or a principal council under section 37, 38, 39 or 43 may make such incidental, consequential, supplemental or transitional provision as they consider necessary or expedient.
- (2) Such orders may, in particular, make provision about—
  - (a) the name of any altered area or electoral ward;
  - (b) the total number of councillors, the apportionment of councillors among electoral wards, the assignment of existing councillors to new or altered electoral wards and the first election of councillors for any new or altered electoral ward;
  - (c) the holding of a fresh election of councillors for all electoral wards in the local government area in question;
  - (d) the order of retirement of councillors for an electoral ward;
  - (e) the constitution, election to and membership of any public body in any area or electoral ward affected by the order;
  - (f) any of the matters described in section 41(2).

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*Status: This is the original version (as it was originally enacted).*

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- (3) Provision of the type described in subsection (2)(c) may only be made in consequence of a change to the electoral arrangements for an area made following a review under Chapter 3.
- (4) An order made by the Welsh Ministers under section 37 or 43 may apply or modify any enactment or charter.
- (5) Nothing in this section prejudices the generality of section 71 (orders and regulations).
- (6) In this section—
  - “councillor” means an elected member of a local authority;
  - “public body” includes—
    - (a) a local authority,
    - (b) any trustees, commissioners or other persons who, for public purposes and not for their own profit, act under any enactment or instrument for the improvement of any place, for the supply of water to any place, or for providing or maintaining a cemetery or market in any place, and
    - (c) any other authority having powers of levying or issuing a precept for any rate for public purposes.