Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULE 1

(as introduced by section 13(1))

ANNUAL REPORTS BY OTHER PUBLIC BODIES

Public bodies: general

1 (1) A public body (other than the Welsh Ministers or one mentioned in sub-paragraph (3)) must publish, in respect of each financial year, a report of the progress it has made in meeting its well-being objectives.

(2) A report under this paragraph must be published as soon as reasonably practicable following the end of the financial year to which the report relates.

[[F1](2A) In respect of any financial year, a local authority may publish its report under this paragraph and its report under section 91(1) of the Local Government and Elections (Wales) Act 2021 (self-assessment of performance) in the same document.**]**

[[F2](2B) In respect of any financial year, a corporate joint committee may publish its report under this paragraph and its report under section 91(1) of the Local Government and Elections (Wales) Act 2021 (as applied to corporate joint committees by section 115A of and Schedule 10A to that Act) in the same document.**]**

(3) This paragraph does not apply to—

(a) a Local Health Board or NHS trust (as to which, see paragraph 2);

(b) the Natural Resources Body for Wales (as to which, see paragraph 3).

Textual Amendments

F1 Sch. 1 para. 1(2A) inserted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 114**, 175(7); S.I. 2021/297, reg. 2(b)

F2 Sch. 1 para. 1(2B) inserted (15.7.2022) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2022 (S.I. 2022/797), regs. 1(2), **23**

Commencement Information

I1 Sch. 1 para. 1 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Health Boards and NHS trusts

2 (1) A Local Health Board or NHS trust must publish, in respect of each accounting year, a report of the progress it has made in meeting its well-being objectives.

(2) A report published under this paragraph must be published as soon as reasonably practicable following the end of the accounting year to which the report relates.

(3) In this paragraph, "accounting year" in relation to a Local Health Board or NHS trust has the meaning given by the order—

(a) made under section 11 of the National Health Service (Wales) Act 2006, establishing the Board, or

(b) made under section 18 of that Act, establishing the trust.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I2 Sch. 1 para. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

The Natural Resources Body for Wales

3 (1) In the Schedule to the Natural Resources Body for Wales (Establishment) Order 2012 (S.I.2012/1903 (W. 230)), in paragraph 22(1)(a), after "year" insert " including a report of the progress made by the authority in meeting its well-being objectives published under Part 2 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) ".

(2) The amendment made by sub-paragraph (1) does not affect the power of the Welsh Ministers to make a further order under sections 13 and 15 of the Public Bodies Act 2011 (c. 24) amending or revoking provision made by that amendment.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

SCHEDULE 2

(as introduced by section 17(4))

THE FUTURE GENERATIONS COMMISSIONER FOR WALES

Status

1 (1) The Commissioner is a corporation sole.

(2) The Commissioner is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

(3) The Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.

Commencement Information

I4 Sch. 2 para. 1 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Validity of acts

2 (1) The validity of an act of an individual as Commissioner is not affected by a defect in the appointment of—

(a) that individual;

(b) any member of the advisory panel.

(2) The validity of an act of a person exercising functions on behalf of the Commissioner is not affected by a defect in the appointment of—

(a) that person;

(b) the Commissioner;

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(c) any member of the advisory panel.

Commencement Information
I5 Sch. 2 para. 2 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Duration of appointment

3 An individual appointed as Commissioner holds office for a period of 7 years.

Commencement Information
I6 Sch. 2 para. 3 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Terms of appointment

4 The Commissioner holds office subject to—

(a) the provisions of this Schedule, and

(b) any additional terms of appointment as may be specified from time to time by the Welsh Ministers.

Commencement Information
I7 Sch. 2 para. 4 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Remuneration, allowances and pensions

5 (1) The Welsh Ministers may pay remuneration to the Commissioner.

(2) The Welsh Ministers may pay allowances (including travelling and subsistence allowances) and gratuities to the Commissioner.

(3) The Welsh Ministers may pay—

(a) pensions to, or in respect of, individuals who have been Commissioner, and

(b) amounts for or towards provision of pensions to, or in respect of, individuals who have been Commissioner.

Commencement Information
I8 Sch. 2 para. 5 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Disqualification

6 (1) An individual cannot be appointed as Commissioner if the individual is disqualified on any of the grounds specified in sub-paragraph (3).

(2) An individual ceases to be Commissioner if the individual is disqualified on any of the grounds specified in sub-paragraph (3).

(3) An individual is disqualified from being Commissioner if the individual is—

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(a) a Member of the National Assembly;
(b) a member of the advisory panel;
(c) the holder of any other office or position to which a person may be appointed, or recommended or nominated for appointment, by or on behalf of—
  (i) the Crown,
  (ii) the National Assembly, or
  (iii) the National Assembly for Wales Commission;
(d) a Member of the House of Commons or House of Lords;
(e) a Member of the Scottish Parliament;
(f) a Member of the Northern Ireland Assembly;
(g) a Member of the European Parliament;
(h) a member of a county council, a county borough council or a community council in Wales;
(i) a member of the Commissioner's staff.

Commencement Information
I9 Sch. 2 para. 6 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

End of appointment (other than through disqualification)

7 (1) The Commissioner may resign from office by giving the Welsh Ministers not less than 3 months' notice in writing of the Commissioner's intention to do so.

(2) The Welsh Ministers may dismiss the Commissioner if satisfied that the Commissioner—
(a) is unfit to continue as Commissioner, or
(b) is unable or unwilling to exercise the Commissioner's functions.

Commencement Information
I10 Sch. 2 para. 7 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Powers

8 (1) The Commissioner may do anything the Commissioner considers appropriate in connection with the Commissioner's functions, including—
(a) charging for the provision of advice or other services;
(b) paying third parties for the provision of advice or other services;
(c) accepting gifts of money or other property.

(2) The Commissioner must not—
(a) provide financial assistance to any person;
(b) acquire or dispose of any interest in land,
without the approval of the Welsh Ministers.

(3) The Commissioner's power to charge for the provision of advice or another service is limited to charging such amounts as the Commissioner thinks appropriate to recover the actual or estimated costs to the Commissioner of providing that advice or service.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I11 Sch. 2 para. 8 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Staff

9 (1) The Commissioner may appoint such staff as the Commissioner considers appropriate in connection with the exercise of the Commissioner's functions and must appoint a member of staff to be the Deputy Commissioner (see paragraph 11).

(2) The Commissioner may pay remuneration to the members of the Commissioner's staff.

(3) The Commissioner may pay allowances (including travelling and subsistence allowances) and gratuities to the members of the Commissioner's staff.

(4) The Commissioner may pay—

(a) pensions to, or in respect of, persons who have been members of the Commissioner's staff, and

(b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Commissioner's staff.

(5) The Commissioner must obtain the approval of the Welsh Ministers for—

(a) the number of staff that may be appointed;

(b) the terms and conditions of service of the staff;

(c) any payments that may be made under sub-paragraphs (2) to (4).

Commencement Information

I12 Sch. 2 para. 9 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Delegation

10 A function of the Commissioner may be discharged on the Commissioner's behalf by any person including any member of the Commissioner's staff, but only to the extent authorised by the Commissioner.

Commencement Information

I13 Sch. 2 para. 10 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Deputy Commissioner

11 The functions of the Commissioner are exercisable by the Deputy Commissioner if—

(a) the office of Commissioner is vacant, or

(b) the Welsh Ministers are satisfied that for any reason the Commissioner is unable to exercise the functions of Commissioner.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I14 Sch. 2 para. 11 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Complaints procedure

12 (1) The Commissioner must establish a procedure for the investigation of complaints about the exercise of the Commissioner's functions ("the complaints procedure").

(2) The complaints procedure must include provision about—

(a) how a complaint may be made;

(b) the person to whom a complaint may be made;

(c) the period within which consideration of a complaint must begin and be concluded;

(d) the action that the Commissioner must consider taking in response to a complaint.

(3) The Commissioner may amend the complaints procedure, but this is subject to the requirement to include provisions in accordance with sub-paragraph (2).

(4) The Commissioner must—

(a) make a copy of the complaints procedure available for inspection at the Commissioner's office, and

(b) ensure that copies of the complaints procedure are made available at such other places and by such other means as the Commissioner considers appropriate.

(5) The Commissioner must ensure that the arrangements for inspecting and gaining access to copies of the complaints procedure are published in such a way as to bring those arrangements to the attention of persons whom the Commissioner thinks likely to have an interest in the procedure.

Commencement Information

I15 Sch. 2 para. 12 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Register of interests

13 (1) The Commissioner must create and maintain a register containing all of the Commissioner's and the Deputy Commissioner's registrable interests.

(2) For the purposes of this paragraph and paragraphs 14 and 15—

(a) "registrable interests" means any interests specified as such by the Welsh Ministers in regulations (and this may include interests of persons with whom the Commissioner or Deputy Commissioner has a connection whether familial, financial or of any other kind);

(b) "interest" means an interest of any kind (including gifts, hospitality, donations received, other financial interests, and all activities and occupations).

(3) The Commissioner must keep the register of interests up to date.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information
I16 Sch. 2 para. 13 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

14 (1) The Commissioner must—

(a) make a copy of the register of interests available for inspection at the Commissioner's office, and

(b) ensure that copies of the register are made available at such other places and by such other means as the Commissioner considers appropriate.

(2) The Commissioner must ensure that the arrangements for inspecting and gaining access to copies of the register of interests are published in such a way as to bring those arrangements to the attention of persons whom the Commissioner thinks likely to have an interest in the register.

Commencement Information
I17 Sch. 2 para. 14 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Conflicts of interest

15 (1) The Commissioner must not exercise a function if the Commissioner has a registrable interest that relates to the exercise of the function.

(2) If that prevents the Commissioner from exercising a function, the Commissioner must delegate that function (so far as necessary to enable it to be exercised) to a member of the Commissioner's staff.

(3) This paragraph applies to the Deputy Commissioner exercising a function of the Commissioner under paragraph 11 as it applies to the Commissioner.

Commencement Information
I18 Sch. 2 para. 15 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Payments by the Welsh Ministers

16 The Welsh Ministers may pay the Commissioner such amounts, at such times and on such conditions (if any), as they think appropriate in respect of expenditure incurred in carrying out the functions of Commissioner.

Commencement Information
I19 Sch. 2 para. 16 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Annual reports

17 (1) The Commissioner must produce a report in relation to each financial year (an "annual report").

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) The Commissioner's first financial year is the period beginning on the day the first appointment to the office of Commissioner is made under section 17 and ending on the following 31 March.

(3) An annual report must include—

(a) a summary of the action taken in that financial year in the exercise of the Commissioner's functions;

(b) an analysis of the effectiveness of that action in enabling the general duty of the Commissioner to be fulfilled (see section 18);

(c) a summary of the Commissioner's work programme for that financial year;

(d) the Commissioner's proposals for a work programme for the following financial year;

(e) a summary of the complaints made in accordance with the procedure established under paragraph 12.

(4) An annual report may include—

(a) the Commissioner's assessment of the improvements that public bodies should make in order to meet their well-being objectives in accordance with the sustainable development principle;

(b) any other information the Commissioner considers appropriate.

(5) In preparing an annual report, the Commissioner must consult—

(a) the advisory panel, and

(b) any other person the Commissioner considers appropriate.

(6) The Commissioner must publish the annual report no later than 31 August in the following financial year.

(7) The Commissioner must send a copy of each annual report to the Welsh Ministers.

(8) The Welsh Ministers must lay a copy of each annual report sent to them before the National Assembly.

Commencement Information

I20 Sch. 2 para. 17 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Accounting officer

18 (1) The Commissioner is the accounting officer for the office of the Commissioner.

(2) The accounting officer has, in relation to the accounts and the finances of the Commissioner, the responsibilities that are from time to time specified by the Treasury.

(3) In this paragraph references to responsibilities include—

(a) responsibilities in relation to the signing of accounts;

(b) responsibilities for the propriety and regularity of the finances of the Commissioner;

(c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Commissioner are used.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) The responsibilities that may be specified under this paragraph include responsibilities owed to—

(a) the National Assembly, the Welsh Ministers or the Public Accounts Committee of the National Assembly;

(b) the House of Commons or the Committee of Public Accounts of that House.

(5) If requested to do so by the Committee of Public Accounts of the House of Commons ("the Commons Committee"), the Public Accounts Committee of the National Assembly may—

(a) take evidence on behalf of the Commons Committee from the accounting officer,

(b) report to the Commons Committee on the evidence taken, and

(c) transmit to the Commons Committee the evidence taken.

(6) Section 13 of the National Audit Act 1983 (c.44) (interpretation of references to the House of Commons Committee of Public Accounts) applies for the purposes of this paragraph as it applies for the purposes of that Act.

Commencement Information

I21 Sch. 2 para. 18 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Estimates

19 (1) For each financial year other than the first, the Commissioner must prepare an estimate of the income and expenses of the Commissioner and the Commissioner's staff.

(2) The Commissioner must submit the estimate to the Welsh Ministers at least five months before the beginning of the financial year to which it relates.

(3) The Welsh Ministers must examine an estimate submitted to them in accordance with this paragraph and must then lay the estimate before the National Assembly with any modifications they think appropriate.

Modifications etc. (not altering text)

C1 Sch. 2 para. 19(2) modified (23.11.2015) by The Well-being of Future Generations (Wales) Act 2015 (Consequential Provisions) Regulations 2015 (No. 1924), regs. 1(2), **4**

Commencement Information

I22 Sch. 2 para. 19 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Accounts

20 (1) The Commissioner must—

(a) keep proper accounting records;

(b) prepare accounts in respect of each financial year in accordance with directions given, with the consent of the Treasury, by the Welsh Ministers.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) The directions that the Welsh Ministers may give under this paragraph include directions as to—
  (a) the information to be contained in the accounts and the manner in which the accounts are to be presented;
  (b) the methods and principles in accordance with which the accounts are to be prepared;
  (c) any additional information that is to accompany the accounts.

(3) The Welsh Ministers may vary or revoke a direction they have given under this paragraph.

Commencement Information
I23 Sch. 2 para. 20 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Audit

21 (1) The Commissioner must submit the accounts prepared for a financial year to the Auditor General for Wales no later than 31 August in the following financial year.

(2) The Auditor General must—
  (a) examine, certify and report on accounts submitted under this paragraph, and
  (b) no later than four months after the accounts are submitted, lay a copy of the certified accounts and the report on them before the National Assembly.

(3) In examining accounts submitted under this paragraph, the Auditor General must not certify the accounts unless satisfied that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority that governs it.

Commencement Information
I24 Sch. 2 para. 21 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Examinations into the use of resources

22 (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which resources have been used in discharging the Commissioner's functions.

(2) But the Auditor General is not entitled to question the merits of the policy objectives of the Commissioner.

(3) Before carrying out an examination under this paragraph, the Auditor General must—
  (a) consult the Public Accounts Committee of the National Assembly, and
  (b) take into account the views of the Committee as to whether or not an examination should be carried out.

(4) The Auditor General must—
  (a) as soon as is reasonably practicable, publish a report of the results of an examination carried out under this paragraph, and

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(b) lay a copy of the report before the National Assembly.

Commencement Information
I25 Sch. 2 para. 22 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Seal and validity of documents

23 (1) The Commissioner may have a seal.

(2) A document purporting to be—
(a) duly executed under the seal of the Commissioner, or
(b) signed by or on behalf of the Commissioner,
is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

Commencement Information
I26 Sch. 2 para. 23 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

SCHEDULE 3 (as introduced by section 34)

PUBLIC SERVICES BOARDS: FURTHER PROVISION

Quorum

1 The quorum of a public services board meeting is all of its members.

Commencement Information
I27 Sch. 3 para. 1 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

First meeting

2 (1) A public services board must hold a meeting no later than 60 days after the date on which the board is established.

(2) The local authority must chair the first meeting of a board.

Commencement Information
I28 Sch. 3 para. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Mandatory meetings

3 (1) A public services board must hold a meeting no later than 60 days after the date of each ordinary election held under section 26 of the Local Government Act 1972 (c.70) (election of councillors).

(2) The local authority must chair a meeting held under sub-paragraph (1).

Commencement Information

I29 Sch. 3 para. 3 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Terms of reference

4 (1) At the first meeting, a public services board must agree its terms of reference.

(2) The terms of reference must include—

(a) the procedure to be followed at subsequent meetings insofar as not specified in this Act;

(b) the proposed schedule of subsequent meetings;

(c) the procedure for inviting persons to participate under section 30 insofar as not specified in this Act;

(d) proposals relating to the manner in which the board intends to involve invited participants and its other partners;

(e) proposals for involving persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being (in addition to consulting such persons in accordance with sections 38(1)(k) and 43(1)(k));

(f) proposals for the establishment of one or more sub-groups including details of the functions to be exercised by any sub-group on behalf of the board (but see paragraph 6);

(g) the procedure for resolving a disagreement between members relating to the exercise of the board's functions;

(h) any other terms relating to the operation of the board that the members consider appropriate.

(3) A public services board—

(a) must review its terms of reference at each meeting held under paragraph 3(1), and

(b) may review them at any other meeting.

(4) Following a review, a public services board may amend its terms of reference.

Commencement Information

I30 Sch. 3 para. 4 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Administrative support

5 The local authority must make administrative support available to the public services board.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I31 Sch. 3 para. 5 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Sub-groups and delegation

6 (1) A sub-group of a public services board—

(a) must include at least one member of the board, and

(b) may include any invited participant or other partner.

(2) A sub-group may exercise such of a board's functions as the board authorises in its terms of reference.

(3) But those terms of reference may not authorise a sub-group—

(a) to invite persons to participate under section 30;

(b) to set, review or revise the board's local objectives;

(c) to prepare or publish an assessment of well-being under section 37;

(d) to consult under section 38 or to prepare a draft of an assessment under section 37 for the purposes of consulting;

(e) to prepare or publish a local well-being plan;

(f) to consult under section 43 or to prepare a draft of a local well-being plan for the purposes of consulting;

(g) to review or amend a local well-being plan or to publish an amended local well-being plan;

(h) to consult under section 44 **[**[F3]or 47**]**;

(i) to agree that the board—

(i) merges with another public services board under section 47(1),

[[F4](ia) if the board is a merged board under section 47, demerges or partially demerges under section 47(7),**]** or

(ii) collaborates with another board under section 48(1).

Textual Amendments

F3 Words in Sch. 3 para. 6(3)(h) inserted (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(3)(q), **Sch. 14 para. 1(8)(a)**

F4 Sch. 3 para. 6(3)(ia) inserted (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(3)(q), **Sch. 14 para. 1(8)(b)**

Commencement Information

I32 Sch. 3 para. 6 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Representation at meetings

7 (1) Each member of a public services board must be represented at a meeting by—

(a) the individual specified in relation to that member in the following Table, or

(b) such other individual as the individual referred to in paragraph (a) designates (but an elected mayor or executive leader of a local authority may only designate another member of the authority's executive).

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

TABLE 2

Member	Representative
Local authority	The elected mayor of the authority or the councillor elected as executive leader of the authority, and the **[**[F5]authority's chief executive appointed under section 54 of the Local Government and Elections (Wales) Act 2021**]**.
Local Health Board	Whichever of the following the board designates— (a) the chairman; (b) the chief officer; (c) both.
Welsh fire and rescue authority	Whichever of the following the authority designates— (a) the chairman; (b) the chief officer; (c) both.
The Natural Resources Body for Wales	The chief executive

(2) "Elected mayor" and "executive leader" each have the same meaning as in Part 2 of the Local Government Act 2000 (c.22).

(3) An invited participant is to be represented at a meeting of a public services board by the individual designated by the participant.

(4) A public services board may invite any of its other partners to attend a meeting of the board (or any part of such meeting).

(5) Such other partner is to be represented at the meeting by the individual specified by the public services board in the invitation to the meeting.

Textual Amendments

F5 Words in Sch. 3 para. 7 substituted (5.5.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 5 para. 19**; S.I. 2021/231, art. 6(s)

Commencement Information

I33 Sch. 3 para. 7 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULE 4

(as introduced by section 46)

PUBLIC SERVICES BOARDS: CONSEQUENTIAL AMENDMENTS AND REPEALS

Education Act 1997 (c.44)

1 In section 38(2A)(b) of the Education Act 1997, for the words "sections 25 and 26" substitute " section 25 ".

Commencement Information

I34 Sch. 4 para. 1 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Government Act 2000 (c.22)

2 The Local Government Act 2000 is amended as follows.

Commencement Information

I35 Sch. 4 para. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

F6 3 . . . . . .

Textual Amendments

F6 Sch. 4 para. 3 omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 7**; S.I. 2021/231, art. 4(c)

F7 4 . . . . . .

Textual Amendments

F7 Sch. 4 para. 4 omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 7**; S.I. 2021/231, art. 4(c)

5 In section 21 (overview and scrutiny committees), in subsection (4), at the end insert " or Part 4 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) ".

Commencement Information

I36 Sch. 4 para. 5 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

6 In section 21B of that Act (duty of authority to respond to overview and scrutiny committee), after subsection (1) insert—

"(1A) A report or recommendation to a public services board by virtue of section 35(1)(c) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) is not to be regarded for the purposes of this section as a report or recommendation to the local authority that is a member of the board.".

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information
I37 Sch. 4 para. 6 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Education Act 2002 (c.32)

7 In section 21(9) of the Education Act 2002 (general responsibility for conduct of school: definition of "relevant children and young person's plan"), for paragraph (b) substitute—

"(b) in relation to a school in Wales, a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which the local authority is a member.".

Commencement Information
I38 Sch. 4 para. 7 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Planning and Compulsory Purchase Act 2004 (c.5)

8 Section 62 of the Planning and Compulsory Purchase Act 2004 (local development plan) is amended as follows.

Commencement Information
I39 Sch. 4 para. 8 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

9 In subsection (5)(d), for "community strategy" substitute " local well-being plan ".

Commencement Information
I40 Sch. 4 para. 9 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

10 For subsection (7) substitute—

"(7) A local well-being plan is relevant if it has been published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by—

(a) in the case of an authority which is a county council or county borough council, the public services board of which that authority is a member;

(b) in the case of an authority which is a National Park Authority, the public services board for an area that includes any part of that authority's area.".

Commencement Information
I41 Sch. 4 para. 10 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Children Act 2004 (c.31)

11 The Children Act 2004 is amended as follows.

Commencement Information
I42 Sch. 4 para. 11 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

12 In section 25 (co-operation to improve well-being: Wales), after subsection (9) insert—

"(9A) Information about the arrangements a local authority in Wales makes under this section may be included in the local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the local authority is a member.".

Commencement Information
I43 Sch. 4 para. 12 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

13 Section 26 (children and young people's plans: Wales) is repealed.

Commencement Information
I44 Sch. 4 para. 13 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

14 In section 27—

(a) in subsection (1)(a), for the words "sections 25 and 26" substitute " section 25 ";

(b) in subsection (1)(b), for "those sections" substitute " that section ";

(c) the section heading becomes " Responsibility for functions under section 25 ".

Commencement Information
I45 Sch. 4 para. 14 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

15 In section 30(2)(a) (inspection of functions under Part 3), the words "or 26" are repealed.

Commencement Information
I46 Sch. 4 para. 15 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

16 In section 50A(2)(c) (intervention - Wales), the words ", 26" are repealed.

Commencement Information
I47 Sch. 4 para. 16 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

17 Section 66(7) (procedure for regulations under section 26) is repealed.

Commencement Information
I48 Sch. 4 para. 17 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Government of Wales Act 2006 (c.32)

18 In paragraph 35(4) of Schedule 11 to the Government of Wales Act 2006 (procedures relating to certain pre-commencement powers to make subordinate legislation), in Table 2 the entries relating to sections 26(2)(f) and (4) of the Children Act 2004 are repealed.

Commencement Information
I49 Sch. 4 para. 18 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

National Health Service (Wales) Act 2006 (c.42)

19 Section 40 of the National Health Service (Wales) Act 2006 (health and well-being strategies in Wales) is repealed.

Commencement Information
I50 Sch. 4 para. 19 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Government (Wales) Measure 2009 (nawm 2)

20 The Local Government (Wales) Measure 2009 is amended as follows.

Commencement Information
I51 Sch. 4 para. 20 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

21 Part 2 (Community strategies and planning) is repealed.

Commencement Information
I52 Sch. 4 para. 21 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

22 Sections 48(2)(b), 50(5)(c) and 51(3) are repealed.

Commencement Information
I53 Sch. 4 para. 22 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

23 Schedule 3 is repealed.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information
I54 Sch. 4 para. 23 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Children and Families (Wales) Measure 2010 (nawm 1)

24 The Children and Families (Wales) Measure 2010 is amended as follows.

Commencement Information
I55 Sch. 4 para. 24 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

25 In section 2(8), the words "and section 26 of the Children Act 2004 (c. 31)" are repealed.

Commencement Information
I56 Sch. 4 para. 25 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

26 In section 4 (strategies prepared by local authorities)—

(a) in subsection (1), for the words "by the authority of a plan under section 26 of the Children Act 2004 (c. 31)" substitute " of a local well-being plan under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the authority is a member, but only if the authority's strategy is an integral part of that plan "; and

(b) subsections (2) and (3) are repealed.

Commencement Information
I57 Sch. 4 para. 26 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

27 In section 5 (strategies prepared by other Welsh authorities)—

(a) subsection (4) is repealed; and

(b) in subsection (5), for the words from "plan" to the end of the subsection substitute " local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by each public services board for a local authority area in which the Welsh authority exercises functions. ".

Commencement Information
I58 Sch. 4 para. 27 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Mental Health (Wales) Measure 2010 (nawm 7)

28 The Mental Health (Wales) Measure 2010 is amended as follows.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information
I59 Sch. 4 para. 28 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

29 In section 2 (joint schemes for the provision of local primary mental health support services), after subsection (2) insert—

"(2A) A scheme may be recorded by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which each of the partners is a member.".

Commencement Information
I60 Sch. 4 para. 29 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

30 Section 11 (amendment of the Children Act 2004) is repealed.

Commencement Information
I61 Sch. 4 para. 30 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Government (Wales) Measure 2011 (nawm 4)

31 Section 128 of the Local Government Wales Measure 2011 (transitional provision relating to community councils' powers to promote well-being) is repealed.

Commencement Information
I62 Sch. 4 para. 31 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Public Audit (Wales) Act 2013 (anaw 3)

32 In section 23 of the Public Audit (Wales) Act 2013 (general provision about fees), after subsection (3)(c) insert—

"(ca) an examination under section 15 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) (examinations of public bodies for the purposes of assessing the extent to which a body has acted in accordance with the sustainable development principle);".

Commencement Information
I63 Sch. 4 para. 32 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Social Services and Well-being (Wales) Act 2014 (anaw 4)

33 In section 14 of the Social Services and Well-being (Wales) Act 2014 (assessment of needs for care and support, support for carers and preventative services) subsections (3) and (4) are repealed.

Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I64 Sch. 4 para. 33 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

34 After that section insert—

"**14A Plans following assessments of needs under section 14**

(1) In this section, "relevant body" means a local authority or Local Health Board which has carried out a joint assessment under section 14(1).

(2) Each relevant body must prepare and publish a plan setting out—

(a) the range and level of services the body proposes to provide, or arrange to be provided, in response to the assessment of needs under paragraphs (a) to (c) of section 14(1);

(b) in the case of a local authority, the range and level of services the authority proposes to provide, or arrange to be provided, in seeking to achieve the purposes in section 15(2) (preventative services);

(c) in the case of a Local Health Board, anything the Board proposes to do in connection with its duty under section 15(5) (Local Health Boards to have regard to the importance of preventative action when exercising functions);

(d) how the services set out in the plan are to be provided, including the actions the body proposes to take to provide, or arrange to provide, the services through the medium of Welsh;

(e) any other action the body proposes to take in response to the assessment under section 14(1);

(f) the details of anything the body proposes to do in response to the assessment jointly with another relevant body;

(g) the resources to be deployed in doing the things set out in the plan.

(3) A relevant body's plan may be published by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (the "2015 Act") by a public services board of which the body is a member.

(4) A local authority and a Local Health Board who have carried out a joint assessment together under section 14(1) may jointly prepare and publish a plan under subsection (2).

(5) Two or more local authorities may jointly prepare and publish a plan under subsection (2); but such a joint plan may be published by including it within a local well-being plan only if each local authority is a member of the public services board (see sections 47 and 49 of the 2015 Act (merging of public services boards)).

(6) A relevant body must submit to the Welsh Ministers—

(a) any part of a plan it has prepared under subsection (2) which relates to the health and well-being of carers;

(b) any other part of such a plan as may be specified by regulations.

(7) Regulations may make provision about plans prepared and published under subsection (2), including provision—

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(a) specifying when a plan is to be published;
(b) about reviewing a plan;
(c) about consulting persons when preparing or reviewing a plan;
(d) about the monitoring and evaluation of services and other action set out in a plan.”.

Commencement Information
I65 Sch. 4 para. 34 in force at 6.4.2016 by S.I. 2016/86, **art. 4**

Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (anaw x)

35 In section 5 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (publication and review of local strategies), after subsection (5) insert—

“(5A) A local strategy or revised strategy may be published by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which both the local authority and the Local Health Board is a member.”.

Commencement Information
I66 Sch. 4 para. 35 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Changes to legislation:
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View outstanding changes

Changes and effects yet to be applied to :

– Sch. 4 para. 20-23 and cross-heading omitted by 2021 asc 1 s. 170(2)(c)