



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

**2015 anaw 3**

*Guidance and directions in relation to the purpose of this Act*

## **17 Duty to follow statutory guidance**

- (1) A relevant authority must follow the course set out in guidance issued to it in accordance with this Act when exercising a power or duty (including a power or duty that is contingent upon the opinion of the authority concerned); but this is subject to the following provisions of this section.
- (2) A relevant authority is not subject to the duty under subsection (1) so far as—
  - (a) the authority concerned thinks there is good reason for it not to follow the guidance in particular categories of case or at all,
  - (b) it decides on an alternative policy for the exercise of its functions in respect of the subject matter of the guidance, and
  - (c) a policy statement issued by the authority in accordance with section 18 is in effect.
- (3) Where subsection (2) applies in the case of an authority to which this section applies, the authority—
  - (a) must follow the course set out in the policy statement, and
  - (b) is subject to the duty under subsection (1) only so far as the subject matter of the guidance is not displaced by the policy statement.
- (4) The duties in subsections (1) and (3) do not apply to a relevant authority so far as it would be unreasonable for the authority to follow the statutory guidance or policy statement in a particular case or category of case.

**Status:**

Point in time view as at 01/04/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, Section 17.