



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 9

MISCELLANEOUS

Local Democracy and Boundary Commission

163 Appointment by Local Democracy and Boundary Commission of its chief executive

- (1) Section 8 of the 2013 Act (chief executive) is amended as follows.
- (2) In subsection (2)—
 - (a) for “Welsh Ministers” substitute “Commission ”;
 - (b) for “they” substitute “it”.
- (3) After subsection (2) insert—

“(2A) But if the office of chief executive has been vacant for more than six months, the Welsh Ministers may appoint a chief executive on such terms and conditions as they may determine (including conditions as to remuneration, pension, allowances and expenses).”
- (4) In subsection (3) after “chief executive” insert “under subsection (2A),”.
- (5) After subsection (3) insert—

“(4) The chief executive may not be—

 - (a) a member of Parliament;
 - (b) a Member of the Senedd;
 - (c) a member of a local authority;
 - (d) an officer of a local authority;

Status: This is the original version (as it was originally enacted).

- (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales.
- (5) The Commission must, in exercising its functions under this section, have regard to any guidance issued by the Welsh Ministers.”
- (6) In sections 4(3)(c) and (d) (membership) and 11(2)(c) and (d) (assistant commissioners) of the 2013 Act, omit “in Wales”.

164 Directions under section 48 of the 2013 Act

- (1) Section 48 of the 2013 Act (directions and guidance relating to reviews under Part 3 of that Act) is amended as follows.
- (2) In subsection (2)—
- (a) in paragraph (a) for “(including, where the Commission has made recommendations or proposals to them, further reviews)” substitute “(regardless of whether in the circumstances the Commission would have the power, or would be subject to a duty, to conduct the review)”;
 - (b) after paragraph (a) insert—
 - “(aa) where the Commission has made recommendations or proposals to the Welsh Ministers, to conduct a further review under this Part,
 - (ab) to stop conducting a review under this Part.”;
 - (c) in paragraph (b) for “section 28” substitute “this Part”.
- (3) In subsection (5)—
- (a) omit “to” in the first place it occurs;
 - (b) in paragraph (a), at the beginning insert “to”;
 - (c) after paragraph (a) insert—
 - “(aa) to stop conducting a review under section 25 or 31,
 - (ab) not to conduct a review under section 25 or 31 during a period specified in the direction.”;
 - (d) in paragraph (b), at the beginning insert “to”.