



Local Government (Wales) Measure 2009

2009 nawm 2

PART 1

LOCAL GOVERNMENT IMPROVEMENT

Relevant regulators and their functions

16 Meaning of “relevant regulators” and “relevant functions”

- (1) For the purposes of this Part, a “relevant regulator” is a person listed in subsection (2) and the regulator’s “relevant functions” are those specified in respect of the person in that subsection.
- (2) The relevant regulators and their relevant functions are as follows—
 - (a) Her Majesty’s Chief Inspector of Education and Training in Wales in the exercise of functions under section 38 of the Education Act 1997 (c. 44) (inspection of LEAs);
 - (b) the Welsh Ministers in the exercise of their functions under—
 - (i) sections 93, 94 and 95 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (reviews etc of the provision of social services);
 - (ii) regulations made under section 96 of that Act;
 - (c) a person appointed under section 28 of the Fire and Rescue Services Act 2004 (c. 21) (inspectors) in the exercise of the person’s functions under section 28(1) of that Act;
 - (d) the Welsh Language Board in the exercise of functions under section 17 of the Welsh Language Act 1993 (c. 38) (investigations);
 - (e) an auditor appointed under section 13 of the Public Audit (Wales) Act 2004 (c. 23) to audit the accounts of a Welsh improvement authority in the exercise of the function of carrying out the audit.
- (3) The Welsh Minister may by order—
 - (a) amend or omit any paragraph of subsection (2);

Status: This is the original version (as it was originally enacted).

- (b) add additional paragraphs to that subsection;
 - (c) amend or omit such additional paragraphs.
- (4) Such an order may make such amendments of this Measure as appear to the Welsh Ministers to be necessary or expedient in connection with the provision made under subsection (3).
- (5) The Welsh Ministers must not make such an order unless they have consulted—
- (a) persons appearing to them to represent Welsh improvement authorities;
 - (b) the Auditor General for Wales;
 - (c) where the order alters the relevant functions specified in respect of a relevant regulator, that regulator;
 - (d) where the order adds a person to the list of relevant regulators, that person.
- (6) But subsection (5)(d) does not require the Welsh Ministers to have consulted a person established by or under any enactment if the enactment is not in force at the date on which the order is made.