



Local Government (Wales) Measure 2011

2011 nawm 4

PART 9

COLLABORATION AND AMALGAMATION

CHAPTER 2

AMALGAMATION

166 Supplementary, incidental, consequential, transitional and saving provision

- (1) The provision that may be made in an amalgamation order includes (but is not limited to) supplementary, incidental, consequential, transitional and saving provision.
- (2) The Welsh Ministers may by regulations of general application make supplementary, incidental, consequential, transitional and saving provision—
 - (a) for the purposes of or in consequence of amalgamation orders; or
 - (b) for giving full effect to amalgamation orders.
- (3) Regulations under subsection (2) have effect subject to any provision included in an amalgamation order.
- (4) In this section, references to supplementary, incidental, consequential, transitional, or saving provision include (but are not limited to) provision—
 - (a) for the transfer of property, rights or liabilities from an existing local authority to a new local authority;
 - (b) for legal proceedings commenced by or against an existing local authority to be continued by or against a new local authority;
 - (c) for the transfer of staff, compensation for loss of office, or with respect to pensions and other staffing matters;
 - (d) for treating a new local authority for some or all purposes as the same person in law as an existing local authority ;

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 166. (See end of Document for details)

- (e) with respect to the management or custody of transferred property (real or personal);
 - (f) equivalent to any provision that could be contained in an agreement under section 68 of the Local Government Act 1972 (transitional agreements as to property and finance).
- (5) The rights and liabilities which may be transferred in accordance with an order under this section include rights and liabilities in relation to a contract of employment.
- (6) The Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246) apply to a transfer made in accordance with an order under this section (whether or not the transfer is a relevant transfer for the purposes of those regulations).
- (7) In subsection (1), the reference to supplementary, incidental, consequential, transitional or saving provision also includes (but is not limited to) provision with respect to—
- (a) the establishment or membership of public bodies in any area affected by the amalgamation order and the election or appointment of members of such bodies;
 - (b) the abolition or establishment, or the restriction or extension, of the jurisdiction of any public body in or over any part of any area affected by the amalgamation order.
- (8) Supplementary, incidental, consequential, transitional or saving provision in an amalgamation order or in regulations under this section may take the form of provision—
- (a) modifying, excluding or applying (with or without modifications) any enactment; or
 - (b) repealing or revoking any enactment (with or without savings).

Annotations:

Commencement Information

II [S. 166](#) in force at 31.8.2011 by [S.I. 2011/2011](#), [art. 2\(s\)](#)

Changes to legislation:

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