



Government of Wales Act 1998

1998 CHAPTER 38

PART VI

REFORM OF WELSH PUBLIC BODIES

Accountability

[^{F1}146A Transfer etc of functions of [^{F2}Welsh Ministers]

- (1) The [^{F3}Welsh Ministers] may, with the consent of the Auditor General for Wales, by order provide for any of [^{F4}their] supervisory functions in respect of a public body or a registered social landlord ^{F5} . . . —
- (a) to be exercised on [^{F4}their] behalf by the Auditor General for Wales, or
 - (b) to be transferred to the Auditor General for Wales.

[But before making an order under subsection (1), the Welsh Ministers must consult ^{F6}(1A) the Wales Audit Office.]

- (2) In this section—

“ public body ” means—

- (a) a body exercising functions of a public nature, or
- (b) a body entirely or substantially funded from public money,

(and for this purpose “ body ” includes office);

[^{F7} “ registered social landlord ” means a body which is registered as a social landlord under Chapter 1 of Part 1 of the Housing Act 1996;]

“ supervisory functions ”, in respect of a public body or a registered social landlord ^{F8} . . . , means functions of examining, inspecting, reviewing or studying the financial or other management of the public body or registered social landlord or the way in which it discharges any of its functions.

- (3) The [^{F9}Welsh Ministers] may direct the Auditor General for Wales to prepare a report on his exercise, generally or in respect of a specific body or matter, of any function transferred to him by an order under subsection (1)(b).

Changes to legislation: Government of Wales Act 1998, Section 146A is up to date with all changes known to be in force on or before 20 March 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 Auditor General for Wales must lay before the Assembly any report prepared by him in accordance with a direction under subsection (3).
- (5) An order under subsection (1) may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals of enactments).

[No order under subsection (1) may be made unless a draft of the statutory instrument ^{F10}(6) containing it has been laid before, and approved by resolution of, the Assembly.]]

Textual Amendments

- F1** S. 146A inserted (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), **ss. 1, 73**; [S.I. 2005/558](#), **art. 2, Sch. 1**
- F2** Words in s. 146A heading substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 50(5)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act
- F3** Words in s. 146A(1) substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 50(2)(a)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act
- F4** Words in s. 146A(1) substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 50(2)(b)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act
- F5** Words in s. 146A(1) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 5, 7, Sch. 2 para. 115(2), **Sch. 4** (with art. 6 Sch. 3)
- F6** S. 146A(1A) inserted (4.7.2013) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), **ss. 12, 35(2)** (with Sch. 3 paras. 2, 3); [S.I. 2013/1466](#), **art. 2(d)**
- F7** S. 146A(2): definition of "registered social landlord" substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), **art. 5, Sch. 2 para. 115(3)(a)** (with art. 6 Sch. 3)
- F8** S. 146A(2): words in definition of "supervisory functions" repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 5, 7, Sch. 2 para. 115(3)(b), **Sch. 4** (with art. 6 Sch. 3)
- F9** Words in s. 146A(3) substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 50(3)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) (subject to s. 161(6)) of the amending Act
- F10** S. 146A(6) inserted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 50(4)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 104(1A) inserted by [2022 asc 1 s. 68\(6\)\(a\)](#)
- Sch. 1 para. 5A5B by [2000 c. 41 Sch. 3 para. 10\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 paras. 8-16 repealed without ever being in force by Government of Wales Act 2006 (c. 32), s. 163, {Sch. 12} (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.)
- Sch. 17 para. 11A inserted by [2022 asc 1 Sch. 4 para. 12\(4\)\(b\)](#)