



Local Government Act 2000

2000 CHAPTER 22

PART I

PROMOTION OF ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING ETC

Interpretation

1 Meaning of “local authority” in Part I.

[^{F1}(1)] In this Part “local authority” means—

- (a) in relation to England—
 - (i) a county council,
 - (ii) a district council,
 - (iii) a London borough council,
 - (iv) the Common Council of the City of London in its capacity as a local authority,
 - (v) the Council of the Isles of Scilly,
 - [^{F2}(vi) an eligible parish council,]
- (b) in relation to Wales, a county council or a county borough council [^{F3}or a community council].

[^{F4}(2) A parish council is “eligible” for the purposes of this Part if the council meets the conditions prescribed by the Secretary of State by order for the purposes of this section.]

Textual Amendments

- F1** S. 1 renumbered as s. 1(1) (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), **ss. 77(2), 245(5)**; S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)

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- F2** S. 1(1)(a)(vi) inserted (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 77(3)**, 245(5); S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)
- F3** Words in s. 1(1)(b) inserted (10.7.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), **ss. 126(1)**, 178(2) (with s. 128)
- F4** S. 1(2) inserted (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 77(4)**, 245(5); S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)

Commencement Information

- I1** S. 1 wholly in force at 9.4.2001; s. 1 not in force at Royal Assent see s. 108; s. 1 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), **arts. 1(3)**, 2(a); s. 1 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), **art. 2**

Promotion of well-being

2 Promotion of well-being [^{F5}by community councils].

- (1) Every [^{F6}community council is] to have power to do anything which [^{F7}it considers] is likely to achieve any one or more of the following objects—
 - (a) the promotion or improvement of the economic well-being of [^{F8}its] area,
 - (b) the promotion or improvement of the social well-being of [^{F8}its] area, and
 - (c) the promotion or improvement of the environmental well-being of [^{F8}its] area.
- (2) The power under subsection (1) may be exercised in relation to or for the benefit of—
 - (a) the whole or any part of a [^{F9}community council's] area, or
 - (b) all or any persons resident or present in a [^{F10}community council's] area.

^{F11}(3)

^{F11}(3A)

^{F12}(3B) In determining whether or how to exercise the power under subsection (1), a community council must have regard to the local well-being plan published under Part 4 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board that includes as a member the county council or county borough council in whose area lies the community or communities for which the community council is established.]

- (4) The power under subsection (1) includes power for a [^{F13}community council] to—
 - (a) incur expenditure,
 - (b) give financial assistance to any person,
 - (c) enter into arrangements or agreements with any person,
 - (d) co-operate with, or facilitate or co-ordinate the activities of, any person,
 - (e) exercise on behalf of any person any functions of that person, and
 - (f) provide staff, goods, services or accommodation to any person.
- (5) The power under subsection (1) includes power for a [^{F14}community council] to do anything in relation to, or for the benefit of, any person or area situated outside [^{F15}its area if it considers] that it is likely to achieve any one or more of the objects in that subsection.

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- (6) Nothing in subsection (4) or (5) affects the generality of the power under subsection (1).

Textual Amendments

- F5** Words in s. 2 heading inserted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(f)**; S.I. 2021/231, art. 4(c)
- F6** Words in s. 2(1) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(a)(i)**; S.I. 2021/231, art. 4(c)
- F7** Words in s. 2(1) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(a)(ii)**; S.I. 2021/231, art. 4(c)
- F8** Word in s. 2(1)(a)-(c) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(a)(iii)**; S.I. 2021/231, art. 4(c)
- F9** Words in s. 2(2)(a) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(b)**; S.I. 2021/231, art. 4(c)
- F10** Words in s. 2(2)(b) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(b)**; S.I. 2021/231, art. 4(c)
- F11** S. 2(3)(3A) repealed (4.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 1**; S.I. 2012/1008, art. 2(d)
- F12** S. 2(3B) substituted for s. 2(3B)(3C) (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(c)**; S.I. 2021/231, art. 4(c)
- F13** Words in s. 2(4) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(d)**; S.I. 2021/231, art. 4(c)
- F14** Words in s. 2(5) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(e)(i)**; S.I. 2021/231, art. 4(c)
- F15** Words in s. 2(5) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(e)(ii)**; S.I. 2021/231, art. 4(c)

Modifications etc. (not altering text)

- C1** S. 2 restricted (8.1.2003) by 2002 c. 41, s. 55 (with s. 159); S.I. 2002/2811, art. 2, **Sch.**
S. 2 restricted (8.1.2003) by 2002 c. 41, ss. 54, 162(2), **Sch. 3** (with s. 159); S.I. 2002/2811, art. 2, **Sch.**
- C2** S. 2 functions made exercisable concurrently (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, 10, **Sch. 3 para. 7**

Commencement Information

- I2** S. 2 wholly in force at 9.4.2001; s. 2 not in force at Royal Assent see s. 108; s. 2 in force (E.) at 18.10.2000 by S.I. 2000/2836, **arts. 1(3), 2(a)**; s. 2 in force (W.) at 9.4.2001 by S.I. 2001/1471, **art. 2**

3 Limits on power to promote well-being.

- (1) The power under section 2(1) does not enable a ^{F16}community council] to do anything which ^{F17}it is] unable to do by virtue of any prohibition, restriction or limitation on ^{F18}its] powers which is contained in any enactment (whenever passed or made).
- (2) The power under section 2(1) does not enable a ^{F19}community council] to raise money (whether by precepts, borrowing or otherwise).
- (3) The ^{F20}Welsh Ministers] may by order make provision preventing ^{F21}community councils] from doing, by virtue of section 2(1), anything which is specified, or is of a description specified, in the order.

^{F22}(3A) The power under subsection (3) may be exercised in relation to—

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- (a) all [^{F23}community councils],
 - (b) particular [^{F24}community councils], or
 - (c) particular descriptions of [^{F25}community council].]
- (4) [^{F26}Subject to subsection (4A),] before making an order under subsection (3), the [^{F20}Welsh Ministers] must consult such representatives of local government and such other persons (if any) as [^{F27}they consider] appropriate.
- [^{F28}(4A) Subsection (4) does not apply to an order under this section which is made only for the purpose of amending an earlier order under this section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular [^{F29}community council or to community councils] of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular [^{F30}community council or to community councils] of a particular description.]
- (5) Before exercising the power under section 2(1), a [^{F31}community council] must have regard to any guidance for the time being issued by the [^{F20}Welsh Ministers] about the exercise of that power.
- (6) Before issuing any guidance under subsection (5), the [^{F20}Welsh Ministers] must consult such representatives of local government and such other persons (if any) as [^{F32}they consider] appropriate.
- ^{F33}(7)
- (8) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M1}Interpretation Act 1978).

Textual Amendments

- F16** Words in s. 3(1) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(a)(i)**; S.I. 2021/231, art. 4(c)
- F17** Words in s. 3(1) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(a)(ii)**; S.I. 2021/231, art. 4(c)
- F18** Word in s. 3(1) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(a)(iii)**; S.I. 2021/231, art. 4(c)
- F19** Words in s. 3(2) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(b)**; S.I. 2021/231, art. 4(c)
- F20** Words in s. 3(3)-(6) substituted (4.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 1 para. 4**; S.I. 2012/1008, art. 2(b) (with arts. 7, 8)
- F21** Words in s. 3(3) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(c)**; S.I. 2021/231, art. 4(c)
- F22** S. 3(3A) inserted (18.11.2003 for E.; 27.11.2003 for W.) by Local Government Act 2003 (c. 26), s. 128(6), **Sch. 3 para. 12(2)**; S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F23** Words in s. 3(3A)(a) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(d)(i)**; S.I. 2021/231, art. 4(c)
- F24** Words in s. 3(3A)(b) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(d)(i)**; S.I. 2021/231, art. 4(c)
- F25** Words in s. 3(3A)(c) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(d)(ii)**; S.I. 2021/231, art. 4(c)

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- F26** Words in s. 3(4) inserted (18.11.2003 for E.; 27.11.2003 for W.) by Local Government Act 2003 (c. 26), s. 128(6), **Sch. 3 para. 12(3)**; S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F27** Words in s. 3(4) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(e)**; S.I. 2021/231, art. 4(c)
- F28** S. 3(4A) inserted (18.11.2003 for E., 27.11.2003 for W.) by Local Government Act 2003 (c. 26), s. 128(6), **Sch. 3 para. 12(4)**; S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F29** Words in s. 3(4A)(a) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(f)**; S.I. 2021/231, art. 4(c)
- F30** Words in s. 3(4A)(b) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(f)**; S.I. 2021/231, art. 4(c)
- F31** Words in s. 3(5) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(g)**; S.I. 2021/231, art. 4(c)
- F32** Words in s. 3(6) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(3)(h)**; S.I. 2021/231, art. 4(c)
- F33** S. 3(7) repealed (4.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 1**; S.I. 2012/1008, art. 2(d)

Modifications etc. (not altering text)

- C3** S. 3(2) excluded (18.11.2003) by Local Government Act 2003 (c. 26), **ss. 93**, 128(2)(d)

Commencement Information

- I3** S. 3 wholly in force at 9.4.2001; s. 3 not in force at Royal Assent see s. 108; s. 3 in force (E.) at 18.10.2000 by S.I. 2000/2836, **arts. 1(3)**, 2(a); s. 3(3)-(7) in force (W.) at 1.11.2000 by S.I. 2000/2948, **art. 2**; s. 3(1)(2)(8) in force (W.) at 9.4.2001 by S.I. 2001/1471, **art. 2**

Marginal Citations

- M1** 1978 c. 30.

F34 4 Strategies for promoting well-being.

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Textual Amendments

- F34** S. 4 omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), **ss. 100(1)**, 115(3)(k)

F35 4A Strategies: parishes

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Textual Amendments

- F35** S. 4A omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), **ss. 100(2)(a)**, 115(3)(k)

F36 5 Power to amend or repeal enactments.

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Textual Amendments

F36 S. 5 omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(4\)](#); S.I. 2021/231, art. 4(c)

Modification of certain enactments

6 Power to modify enactments concerning plans etc.

- (1) Subject to subsection (3), the Secretary of State may by order amend, repeal, revoke or disapply any enactment (whenever passed or made) which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter [^{F37}so far as that enactment has effect in relation to a local authority in England].
- (2) The power under subsection (1) may be exercised in relation to—
 - (a) all local authorities [^{F38}in England],
 - (b) particular local authorities [^{F39}in England], or
 - (c) particular descriptions of local authority [^{F40}in England].
- (3) The power under subsection (1) may be exercised in relation to a local authority only if the Secretary of State considers—
 - (a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or
 - (b) that any such enactment should be amended so that it operates more effectively in relation to the authority.
- (4) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.
- ^{F41}(5)
- ^{F42}(6)
- (7) An order under this section which would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument shall proceed in that House as if it were not such an instrument.
- (8) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978).

Textual Amendments

- F37** Words in s. 6(1) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(a\)](#), 245(2)
- F38** Words in s. 6(2)(a) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(b\)](#), 245(2)
- F39** Words in s. 6(2)(b) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(b\)](#), 245(2)
- F40** Words in s. 6(2)(c) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(c\)](#), 245(2)
- F41** S. 6(5) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(d\)](#), 245(2), [Sch. 18 Pt. 5](#)

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F42 S. 6(6) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 115(5)(d), 245(2), **Sch. 18 Pt. 5**

Commencement Information

I4 S. 6 wholly in force at 9.4.2001; s. 6 not in force at Royal Assent see s. 108(4); s. 6 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), **arts. 1(3), 2(a)**; s. 6(6) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), **art. 2**; s. 6(1)-(5)(7)(8) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), **art. 2**

7 Power to modify enactments concerning plans etc: Wales.

(1) Subject to [^{F43}subsection (4)], [^{F44}the Welsh Ministers] may by order amend, repeal, revoke or disapply any enactment [^{F45}(whenever passed or made) which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter] so far as that enactment has effect in relation to a local authority in Wales.

^{F46}(2)

(3) The power under subsection (1) may be exercised in relation to—

- (a) all local authorities in Wales,
- (b) particular local authorities in Wales, or
- (c) particular descriptions of local authority in Wales.

(4) The power under subsection (1) may be exercised in relation to a local authority only if [^{F47}the Welsh Ministers consider]—

- (a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or
- (b) that any such enactment should be amended so that it operates more effectively in relation to the authority.

(5) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.

^{F48}(6)

(7) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M2}Interpretation Act 1978).

[^{F49}(8) An order under this section may not make a provision which, if it were a provision of [^{F50}an Act] of the National Assembly for Wales, would be outside the Assembly's legislative competence.

(9) For the purposes of subsection (8), [^{F51}section 108A of the Government of Wales Act 2006 (legislative competence) has effect as if subsection (2)(c) of that section and paragraph 1 of Schedule 7B to that Act were omitted.]

(10) Subject to subsection (11), a statutory instrument which contains an order under this section is not to be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.

(11) A statutory instrument containing an order under this section which is made only for the purpose of amending an earlier such order—

- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or

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(b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description, is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Textual Amendments

- F43** Words in s. 7(1) substituted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(5)**; S.I. 2021/231, art. 4(c)
- F44** Words in s. 7(1) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 115(6)(a)(i), 245(2)**
- F45** Words in s. 7(1) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 115(6)(a)(ii), 245(2)**
- F46** S. 7(2) repealed (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 115(6)(b), 245(2), Sch. 18 Pt. 5**
- F47** Words in s. 7(4) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 115(6)(c), 245(2)**
- F48** S. 7(6) repealed (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 115(6)(d), 245(2), Sch. 18 Pt. 5**
- F49** S. 7(8)-(11) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 115(7), 245(2)**
- F50** Words in s. 7(8) substituted (5.5.2011) by The Government of Wales Act 2006 (Commencement of Assembly Act Provisions, Transitional and Saving Provisions and Modifications) Order 2011 (S.I. 2011/1011), arts. 2, **6(2)**
- F51** Words in s. 7(9) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 57** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(r)

Commencement Information

- I5** S. 7 wholly in force at 1.11.2000; s. 7 not in force at Royal Assent see s. 108(4); s. 7 in force (E.) at 18.10.2000 by S.I. 2000/2836, **arts. 1(3), 2(a)**; s. 7 in force (W.) at 1.11.2000 by S.I. 2000/2948, **art. 2**

Marginal Citations

- M2** 1978 c. 30.

8 Modification of section 137 of the 1972 Act.

In section 137 of the ^{M3}Local Government Act 1972 (power of local authorities to incur expenditure for certain purposes not otherwise authorised), for subsection (9) there is substituted—

“(9) Subject to subsection (10) below, in this section “local authority” means a parish or community council.

(10) In subsection (3) above “local authority” means—

- (a) in relation to England, a county council, a district council, a London borough council, the Common Council or a parish council,
- (b) in relation to Wales, a county council, a county borough council or a community council.”

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Commencement Information

I6 S. 8 wholly in force at 9.4.2001; s. 8 not in force at Royal Assent see s. 108(4); s. 8 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 8 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

Marginal Citations

M3 1972 c. 70.

Procedure for orders under ^{F52}this Part

Textual Amendments

F52 Words in s. 9 cross-heading substituted (1.11.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(6\)](#); [S.I. 2021/231](#), art. 4(c)

9 Procedure for orders ^{F53}made by the Secretary of State under section 6].

- (1) Before the Secretary of State makes an order under ^{F54}section 6] he must consult—
 - (a) such local authorities,
 - (b) such representatives of local government, and
 - (c) such other persons (if any),as appear to him to be likely to be affected by his proposals.
- (2) Where those proposals affect any local authorities in Wales, the Secretary of State must also consult ^{F55}the Welsh Ministers].
- (3) If, following consultation under the preceding provisions of this section, the Secretary of State proposes to make an order under ^{F56}section 6] he must lay before each House of Parliament a document which—
 - (a) explains his proposals,
 - (b) sets them out in the form of a draft order,
 - (c) gives details of consultation under subsection (1), and
 - (d) where consultation has taken place under subsection (2), sets out the views of ^{F57}the Welsh Ministers].
- (4) Where a document relating to proposals is laid before Parliament under subsection (3), no draft of an order under ^{F58}section 6] to give effect to the proposals (with or without modifications) is to be laid before Parliament in accordance with section 105(6) until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (5) In calculating the period mentioned in subsection (4) no account is to be taken of any time during which—
 - (a) Parliament is dissolved or prorogued, or
 - (b) either House is adjourned for more than four days.
- (6) In preparing a draft order under ^{F59}section 6] the Secretary of State must consider any representations made during the period mentioned in subsection (4).

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- (7) A draft order under ^{F59}section 6] which is laid before Parliament in accordance with section 105(6) must be accompanied by a statement of the Secretary of State giving details of—
- (a) any representations considered in accordance with subsection (6), and
 - (b) any changes made to the proposals contained in the document laid before Parliament under subsection (3).
- ^{F60}(8) Nothing in this section applies to an order under ^{F59}section 6] which is made only for the purpose of amending an earlier order under that section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

Textual Amendments

- F53** Words in s. 9 heading substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(4)(a)**
- F54** Words in s. 9(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(4)(b)**
- F55** Words in s. 9(2) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 115(8)(a)**, 245(2)
- F56** Words in s. 9(3) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(4)(b)**
- F57** Words in s. 9(3)(d) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 115(8)(b)**, 245(2)
- F58** Words in s. 9(4) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(4)(b)**
- F59** Words in s. 9(6)-(8) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(4)(b)**
- F60** S. 9(8) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), **Sch. 3 para. 13**; S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

Commencement Information

- I7** S. 9 wholly in force at 9.4.2001; s. 9 not in force at Royal Assent see s. 108(4); s. 9 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), **arts. 1(3)**, 2(a); s. 9 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), **art. 2**

^{F61}9A Procedure for orders ^{F62}made by the Welsh Ministers under section ^{F63}... 7]

- (1) Before the Welsh Ministers make an order under ^{F64}section ^{F65}... 7] they must consult—
- (a) such local authorities in Wales,
 - (b) such representatives of local government in Wales, and
 - (c) such other persons (if any),
- as appear to them to be likely to be affected by their proposals.
- (2) If, following consultation under subsection (1), the Welsh Ministers propose to make an order under ^{F66}section ^{F67}... 7] they must lay before the National Assembly for Wales a document which—
- (a) explains their proposals,

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- (b) sets them out in the form of a draft order, and
 - (c) gives details of consultation under subsection (1).
- (3) Where a document relating to proposals is laid before the National Assembly for Wales under subsection (2), no draft of an order under [F68 section F69 ... 7] to give effect to the proposals (with or without modifications) is to be laid before the National Assembly for Wales [F70 in accordance with section F71 ... 7(10)] until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (4) In calculating the period mentioned in subsection (3) no account is to be taken of any time during which the National Assembly is dissolved or is in recess for more than four days.
- (5) In preparing a draft order under [F72 section F73 ... 7] the Welsh Ministers must consider any representations made during the period mentioned in subsection (3).
- (6) A draft order under [F72 section F74 ... 7] which is laid before the National Assembly for Wales must be accompanied by a statement of the Welsh Ministers giving details of—
- (a) any representations considered in accordance with subsection (5), and
 - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (2).
- (7) Nothing in this section applies to an order under [F72 section F75 ... 7] which is made only for the purpose of amending an earlier order under that section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

Textual Amendments

- F61** S. 9A inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. **115(9)**, 245(2)
- F62** Words in s. 9A heading substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(5)(a)**
- F63** Words in s. 9A heading omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)
- F64** Words in s. 9A(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(5)(b)**
- F65** Words in s. 9A(1) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(a)**; S.I. 2021/231, art. 4(c)
- F66** Words in s. 9A(2) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(5)(b)**
- F67** Words in s. 9A(2) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(b)**; S.I. 2021/231, art. 4(c)
- F68** Words in s. 9A(3) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(5)(c)(i)**
- F69** Words in s. 9A(3) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(c)(i)**; S.I. 2021/231, art. 4(c)
- F70** Words in s. 9A(3) inserted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(5)(c)(ii)**
- F71** Words in s. 9A(3) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(c)(ii)**; S.I. 2021/231, art. 4(c)

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- F72** Words in s. 9A(5)-(7) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(5)(d)**
- F73** Words in s. 9A(5) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)
- F74** Words in s. 9A(6) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)
- F75** Words in s. 9A(7) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)

Status:

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