



Public Audit (Wales) Act 2004

2004 CHAPTER 23

PART 2

LOCAL GOVERNMENT BODIES IN WALES

CHAPTER 1

ACCOUNTS AND AUDIT

Auditors' reports and recommendations

26 Publicity for meetings under section 25

- (1) This section applies if a body is required under section 25(4) to hold a meeting.
- (2) The meeting may be held on a particular day only if, at least seven clear days before that day, a notice complying with subsection (3) has been published in a newspaper circulating in the area of the body.
- (3) A notice complies with this subsection if it—
 - (a) states the time and place of the meeting, [^{F1}(but where the meeting is to be held by a body mentioned in subsection (3A) through remote means only, there is no need for the notice to state the place of the meeting)]
 - [^{F2}(aa) in the case of a meeting held through remote means by a body mentioned in subsection (3A), also gives details of how to access the meeting;]
 - (b) indicates that the meeting is to be held to consider [^{F3}the Auditor General for Wales]'s report or recommendation (as the case may be), and
 - (c) describes the subject-matter of the report or recommendation.

[^{F4}(3A) The bodies referred to in subsection (3)(a) and (aa) are—

- (a) a local authority in Wales;
- (b) a committee of a local authority in Wales (including a joint committee of two or more local authorities in Wales);

Changes to legislation: There are currently no known outstanding effects for the Public Audit (Wales) Act 2004, Section 26. (See end of Document for details)

- [^{F5}(ba) a corporate joint committee;]
- (c) a National Park authority for a National Park in Wales;
- (d) a fire and rescue authority in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21) or a scheme to which section 4 of that Act applies.]

[^{F4}(3B) In subsection (3)(a) and (aa) the references to a meeting of a body held through remote means are to a meeting held by means of equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).]

- (4) As soon as practicable after the meeting the body must—
- ensure that [^{F3}the Auditor General for Wales] is notified of the decisions made by the body under section 25(5),
 - obtain the approval of [^{F3}the Auditor General for Wales] to a written summary of those decisions (“the approved summary”), and
 - ensure that a notice containing the approved summary is published in one or more newspapers circulating in the area of the body.
- (5) The approved summary need not summarise any decision made at the meeting while the public were excluded—
- under section 100A(2) of the Local Government Act 1972 (confidential information);
 - in pursuance of a resolution under section 100A(4) of that Act (exempt information);
 - in pursuance of a resolution under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 (c. 67) (protection of public interest).
- (6) But if sections 100C and 100D of the Local Government Act 1972 (c. 70) (availability for inspection [^{F6}and publication] after meeting of minutes, background papers and other documents) apply in relation to the meeting the approved summary must indicate the documents in relation to the meeting which are [^{F7}published electronically or] open for inspection under those sections.
- (7) This section does not affect any provisions made in relation to meetings of a body by section 24(4) to (7) or by or under—
- the Local Government Act 1972;
 - the Public Bodies (Admission to Meetings) Act 1960;
 - any other enactment.

Textual Amendments

- F1** Words in s. 26(3)(a) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by [The Local Government and Elections \(Wales\) Act 2021 \(Consequential Amendments and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/356\)](#), regs. 1(2), **2(3)(a)(i)** (with regs. 10, 11)
- F2** S. 26(3)(aa) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by [The Local Government and Elections \(Wales\) Act 2021 \(Consequential Amendments and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/356\)](#), regs. 1(2), **2(3)(a)(ii)** (with regs. 10, 11)
- F3** Words in s. 26 substituted (1.4.2014) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), s. 35(2), **Sch. 4 para. 31** (with [Sch. 3 paras. 2, 3](#)); S.I. 2013/1466, art. 3(1)

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- F4** S. 26(3A)(3B) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by The Local Government and Elections (Wales) Act 2021 (Consequential Amendments and Miscellaneous Provisions) Regulations 2021 (S.I. 2021/356), regs. 1(2), **2(3)(b)** (with regs. 10, 11)
- F5** S. 26(3A)(ba) inserted (3.12.2021) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **29**
- F6** Words in s. 26(6) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by The Local Government and Elections (Wales) Act 2021 (Consequential Amendments and Miscellaneous Provisions) Regulations 2021 (S.I. 2021/356), regs. 1(2), **2(3)(c)(i)** (with regs. 10, 11)
- F7** Words in s. 26(6) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by The Local Government and Elections (Wales) Act 2021 (Consequential Amendments and Miscellaneous Provisions) Regulations 2021 (S.I. 2021/356), regs. 1(2), **2(3)(c)(ii)** (with regs. 10, 11)

Changes to legislation:

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