



Public Audit (Wales) Act 2004

2004 CHAPTER 23

PART 2

LOCAL GOVERNMENT BODIES IN WALES

CHAPTER 1

ACCOUNTS AND AUDIT

Prevention of unlawful expenditure etc

35 Advisory notices: legal actions

- (1) Subsection (2) applies if—
- (a) before an advisory notice is served, a body enters into a contract to dispose of or acquire an interest in land, and
 - (b) before the disposal or acquisition is completed, an advisory notice takes effect as a result of which it is unlawful for the body to complete the disposal or acquisition.
- (2) The existence of the advisory notice does not prejudice any remedy in damages which may be available to any person as a result of the body's failure to complete the contract.
- (3) No action lies against [^{F1}the Auditor General for Wales] in respect of loss or damage alleged to have been caused as a result of the issue of an advisory notice which was issued in good faith.

Textual Amendments

- F1** Words in s. 35(3) substituted (1.4.2014) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), s. 35(2), [Sch. 4 para. 40](#) (with [Sch. 3 paras. 2, 3](#)); [S.I. 2013/1466](#), art. 3(1)

Changes to legislation:

There are currently no known outstanding effects for the Public Audit (Wales) Act 2004, Section 35.