



Government of Wales Act 2006

2006 CHAPTER 32

PART 2

WELSH ASSEMBLY GOVERNMENT

“Inclusive” approach to exercise of functions

72 Partnership Council

- (1) The Welsh Ministers must establish and maintain a body to be known as the Partnership Council for Wales or *Cyngor Partneriaeth Cymru* (“the Partnership Council”).
- (2) The Partnership Council is to consist of members appointed by the Welsh Ministers from among—
 - (a) the Welsh Ministers,
 - (b) the Deputy Welsh Ministers, and
 - (c) the members of local authorities in Wales.
- (3) Before appointing members of the Partnership Council under subsection (2)(c), the Welsh Ministers must consult such associations of local authorities in Wales as they consider appropriate.
- (4) The Partnership Council may—
 - (a) give advice to the Welsh Ministers about matters affecting the exercise of any of their functions,
 - (b) make representations to the Welsh Ministers about any matters affecting, or of concern to, those involved in local government in Wales, and
 - (c) give advice to those involved in local government in Wales.
- (5) For the purposes of this section the following are local authorities in Wales—
 - (a) county councils, county borough councils and community councils in Wales,
 - (b) National Park authorities for National Parks in Wales,

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- (c) police authorities for police areas in Wales,
 - (d) fire and rescue authorities for areas in Wales, and
 - (e) authorities of any description specified for the purposes of this paragraph by order made by the Welsh Ministers.
- (6) No order may be made under subsection (5)(e) unless the Welsh Ministers have consulted the Partnership Council.
- (7) A statutory instrument containing an order under subsection (5)(e) is subject to annulment in pursuance of a resolution of the Assembly.

73 Local government scheme

- (1) The Welsh Ministers must make a scheme (“the local government scheme”) setting out how they propose, in the exercise of their functions, to sustain and promote local government in Wales.
- (2) The Welsh Ministers—
- (a) must keep the local government scheme under review, and
 - (b) may from time to time remake or revise it.
- (3) In determining the provision to be included in the local government scheme, the Welsh Ministers must have regard to any advice which has been given, and to any representations which have been made, to them by the Partnership Council.
- (4) The Welsh Ministers must publish the local government scheme when they make it and whenever they remake it; and, if they revise the scheme without remaking it, they must publish either the revisions or the scheme as revised (as they consider appropriate).
- (5) If the Welsh Ministers publish a scheme or revisions under subsection (4) they must lay a copy of the scheme or revisions before the Assembly.
- (6) After each financial year the Welsh Ministers must—
- (a) publish a report of how the proposals set out in the local government scheme were implemented in that financial year, and
 - (b) lay a copy of the report before the Assembly.

74 Voluntary sector scheme

- (1) The Welsh Ministers must make a scheme (“the voluntary sector scheme”) setting out how they propose, in the exercise of their functions, to promote the interests of relevant voluntary organisations.
- (2) In this section “relevant voluntary organisations” means bodies (other than local authorities or other public bodies) whose activities—
- (a) are carried on otherwise than for profit, and
 - (b) directly or indirectly benefit the whole or any part of Wales (whether or not they also benefit any other area).
- (3) In determining the provision to be included in the voluntary sector scheme, the Welsh Ministers must consider how they intend to exercise such of their functions as relate to matters affecting, or of concern to, relevant voluntary organisations.
- (4) The voluntary sector scheme must specify—

- (a) how the Welsh Ministers propose to provide assistance to relevant voluntary organisations (whether by grants, loans, guarantees or any other means),
 - (b) how the Welsh Ministers propose to monitor the use made of any assistance provided by them to relevant voluntary organisations, and
 - (c) how the Welsh Ministers propose to consult relevant voluntary organisations about the exercise of such of their functions as relate to matters affecting, or of concern to, such organisations.
- (5) The Welsh Ministers—
- (a) must keep the voluntary sector scheme under review, and
 - (b) may from time to time remake or revise it.
- (6) Before making, remaking or revising the voluntary sector scheme, the Welsh Ministers must consult such relevant voluntary organisations as they consider appropriate.
- (7) The Welsh Ministers must publish the voluntary sector scheme when they make it and whenever they remake it; and, if they revise the scheme without remaking it, they must publish either the revisions or the scheme as revised (as they consider appropriate).
- (8) If the Welsh Ministers publish a scheme or revisions under subsection (7) they must lay a copy of the scheme or revisions before the Assembly.
- (9) After each financial year the Welsh Ministers must—
- (a) publish a report of how the proposals set out in the voluntary sector scheme were implemented in that financial year, and
 - (b) lay a copy of the report before the Assembly.

75 Business scheme

- (1) The Welsh Ministers must make a scheme (“the business scheme”) setting out how they propose, in the exercise of their functions, to take account of the interests of business.
- (2) The business scheme must specify how the Welsh Ministers propose—
- (a) to carry out consultation about the exercise of such of their functions as relate to matters affecting the interests of business, and
 - (b) to consider the impact of the exercise of their functions on the interests of business.
- (3) The Welsh Ministers—
- (a) must keep the business scheme under review, and
 - (b) may from time to time remake or revise it.
- (4) Before making, remaking or revising the business scheme, the Welsh Ministers must consult such organisations representative of business (including trade unions) and such other organisations as they consider appropriate.
- (5) The Welsh Ministers must publish the business scheme when they make it and whenever they remake it; and, if they revise the scheme without remaking it, they must publish either the revisions or the scheme as revised (as they consider appropriate).
- (6) If the Welsh Ministers publish a scheme or revisions under subsection (5) they must lay a copy of the scheme or revisions before the Assembly.

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- (7) The Welsh Ministers must—
- (a) within the period of two years beginning with the day on which the business scheme is first made, and
 - (b) subsequently at intervals of no more than two years,
- publish a report of how the proposals set out in the business scheme have been implemented.
- (8) The Welsh Ministers must lay before the Assembly a copy of each report published under subsection (7).

76 Regulatory impact assessments

- (1) The Welsh Ministers must make a code of practice setting out their policy on—
- (a) the carrying out of regulatory impact assessments in connection with relevant Welsh subordinate legislation, and
 - (b) the carrying out of consultation in connection with regulatory impact assessments,
- (“the regulatory impact assessment code”).
- (2) For the purposes of this section—
- (a) a regulatory impact assessment is an assessment as to the likely costs and benefits of complying with relevant Welsh subordinate legislation, and
 - (b) subordinate legislation is relevant Welsh subordinate legislation if it is made by the Welsh Ministers, the First Minister or the Counsel General and the statutory instrument (or a draft of the statutory instrument) containing it is required to be laid before the Assembly.
- (3) The Welsh Ministers—
- (a) must keep the regulatory impact assessment code under review, and
 - (b) may from time to time remake or revise it.
- (4) Before making, remaking or revising the regulatory impact assessment code, the Welsh Ministers must consult such persons as they consider appropriate.
- (5) The Welsh Ministers must publish the regulatory impact assessment code when they make it and whenever they remake it; and, if they revise the code without remaking it, they must publish either the revisions or the code as revised (as they consider appropriate).
- (6) If the Welsh Ministers publish a code or revisions under subsection (5) they must lay a copy of the code or revisions before the Assembly.

77 Equality of opportunity

- (1) The Welsh Ministers must make appropriate arrangements with a view to securing that their functions are exercised with due regard to the principle that there should be equality of opportunity for all people.
- (2) After each financial year the Welsh Ministers must publish a report containing—
- (a) a statement of the arrangements made in pursuance of subsection (1) which had effect during that financial year, and

- (b) an assessment of how effective those arrangements were in promoting equality of opportunity,
and must lay a copy of the report before the Assembly.

78 The Welsh language

- (1) The Welsh Ministers must adopt a strategy (“the Welsh language strategy”) setting out how they propose to promote and facilitate the use of the Welsh language.
- (2) The Welsh Ministers must adopt a scheme (“the Welsh language scheme”) specifying measures which they propose to take, for the purpose mentioned in subsection (3), as to the use of the Welsh language in connection with the provision of services to the public in Wales by them, or by others who—
 - (a) are acting as servants or agents of the Crown, or
 - (b) are public bodies (within the meaning of Part 2 of the Welsh Language Act 1993 (c. 38)).
- (3) The purpose referred to in subsection (2) is that of giving effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that in the conduct of public business in Wales the English and Welsh languages should be treated on a basis of equality.
- (4) The Welsh Ministers—
 - (a) must keep under review both the Welsh language strategy and the Welsh language scheme, and
 - (b) may from time to time adopt a new strategy or scheme or revise them.
- (5) Before adopting or revising a strategy or scheme, the Welsh Ministers must consult such persons as they consider appropriate.
- (6) The Welsh Ministers must publish the Welsh language strategy and the Welsh language scheme when they first adopt it and—
 - (a) if they adopt a new strategy or scheme they must publish it, and
 - (b) if they revise the Welsh language strategy or the Welsh language scheme (rather than adopting a new strategy or scheme) they must publish either the revisions or the strategy or scheme as revised (as they consider appropriate).
- (7) If the Welsh Ministers publish a strategy or scheme, or revisions, under subsection (6) they must lay a copy of the strategy or scheme, or revisions, before the Assembly.
- (8) After each financial year the Welsh Ministers must publish a report of—
 - (a) how the proposals set out in the Welsh language strategy were implemented in that financial year and how effective their implementation has been in promoting and facilitating the use of the Welsh language, and
 - (b) how the proposals set out in the Welsh language scheme were implemented in that financial year,and must lay a copy of the report before the Assembly.

79 Sustainable development

- (1) The Welsh Ministers must make a scheme (“the sustainable development scheme”) setting out how they propose, in the exercise of their functions, to promote sustainable development.

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- (2) The Welsh Ministers—
 - (a) must keep the sustainable development scheme under review, and
 - (b) may from time to time remake or revise it.
- (3) Before making, remaking or revising the sustainable development scheme, the Welsh Ministers must consult such persons as they consider appropriate.
- (4) The Welsh Ministers must publish the sustainable development scheme when they make it and whenever they remake it; and, if they revise the scheme without remaking it, they must publish either the revisions or the scheme as revised (as they consider appropriate).
- (5) If the Welsh Ministers publish a scheme or revisions under subsection (4) they must lay a copy of the scheme or revisions before the Assembly.
- (6) After each financial year the Welsh Ministers must—
 - (a) publish a report of how the proposals set out in the sustainable development scheme were implemented in that financial year, and
 - (b) lay a copy of the report before the Assembly.
- (7) In the year following that in which an ordinary general election is (or, apart from section 5(5), would be) held, the Welsh Ministers must—
 - (a) publish a report containing an assessment of how effective their proposals (as set out in the scheme and implemented) have been in promoting sustainable development, and
 - (b) lay a copy of the report before the Assembly.