

GOVERNMENT OF WALES ACT 2006

EXPLANATORY NOTES

DETAILED COMMENTARY ON SECTIONS IN PART 5

Expenditure

Section 134: Accounts of Subsidiaries of Welsh Ministers

486. This section ensures that the AGW, when examining any accounts of the Welsh Ministers, has a right of access to documents and information relating to the accounts of any subsidiary of the Welsh Ministers. The AGW also has the right to any assistance or explanation, which the AGW reasonably thinks is necessary in that connection, from any person holding or accountable for any such document (subsection (1)).
487. In this context, a “subsidiary of the Welsh Ministers” means (subsection (4)):
- a) a body corporate (such as a limited company) or other undertaking in relation to which, if the Welsh Ministers were an undertaking for the purposes of section 259(1) of the [Companies Act 1985 \(c.6\)](#), the Welsh Ministers would be a parent undertaking for the purposes of section 258 of that Act;
 - b) a trust of which the Welsh Ministers are settlors; or
 - c) a charitable institution of which the Welsh Ministers are founders, but which is neither a body corporate nor a trust.
488. Subsection (2) gives the Treasury a power to direct a subsidiary of the Welsh Ministers to include additional information in its accounts. Such a direction would override any prohibition on the inclusion of that information in accounts of that type (subsection (3)). There are, for instance, legislative rules, which might be relevant here, on the contents of company and charity accounts.