

*These notes refer to the Localism Act 2011 (c.20)
which received Royal Assent on 15 November 2011*

LOCALISM ACT 2011

EXPLANATORY NOTES

TERRITORIAL EXTENT AND APPLICATION

Territorial application: Wales

7. Some of the provisions in the Act apply in England only, some provisions also apply in Wales, and some apply in Wales only. Application to England and Wales is set out in Annex A and explained at the appropriate point in the commentary below.
8. The legislative competence of the National Assembly for Wales increased significantly during this Act's passage through Parliament, as a result of the Assembly Act provisions in Part 4 of the Government of Wales Act 2006 coming into force on 5 May 2011. Prior to that date, the Assembly's competence was more limited. This Act includes provisions which, at the time they were first considered by Parliament, related to matters in Wales which were to some extent within the legislative competence of the Assembly as it stood at the relevant time. They relate to powers of fire and rescue authorities, pay accountability, repeal of the duty to promote democracy and petitions duty, assets of community value, duties to homeless persons, transfer of functions to Homes and Communities Agency, tenancy deposit schemes, tenure reform, HMO licensing and compensation for compulsory acquisition. Those provisions required the consent of the Assembly, which it gave by passing appropriate legislative consent motions. In addition, the Act includes provisions applying to Wales which, while they did not relate to matters within the legislative competence of the Assembly at the time when they were first considered by Parliament, confer new functions on the Welsh Ministers or relate to matters in respect of which they already exercise functions. The Welsh Ministers agreed to the inclusion of those provisions, which relate to predetermination, the Welsh Ministers' powers in relation to EU financial sanctions, business rate supplement ballots, discretionary relief from non-domestic rates and council tax calculations and revaluations. In addition, the Act includes a number of provisions which apply to non-devolved matters in Wales, including standards for members of police authorities, the powers of Ministers of the Crown in relation to EU financial sanctions, the Community Infrastructure Levy and nationally significant infrastructure projects.