
WELSH STATUTORY INSTRUMENTS

2006 No. 362

**The Public Services Ombudsman (Wales)
Act 2005 (Transitional Provisions and
Consequential Amendments) Order 2006**

Transitional provisions

4.—(1) Paragraph (2) applies if—

- (a) an allegation has been made to a Local Commissioner in Wales under section 69 of the Local Government Act 2000⁽¹⁾ before the date on which section 38 of the Act comes into force, and
- (b) the allegation has not been determined by that Commissioner before that date.

(2) On and after the date on which section 38 of the Act comes into force, Part III of the Local Government Act 2000 and regulations and orders made thereunder continue to apply for the purposes of the allegation despite the provisions of the Act or this Order.

(3) Paragraph (4) applies if—

- (a) an allegation could (but for the provisions of the Act) have been made to a Local Commissioner in Wales, and
- (b) the allegation is an allegation that a member or co-opted member (or former member or co-opted member) of a relevant authority in Wales has failed or may have failed to comply with the authority's code of conduct before the date on which section 38 of the Act comes into force.

(4) On and after the date on which section 38 of the Act comes into force, Part III of the Local Government Act 2000⁽²⁾ and regulations and orders made thereunder continue to apply for the purposes of enabling the allegation to be made, and for the purposes of the allegation if made, despite the provisions of the Act or this Order.

(5) Where paragraphs (2) and (4) apply, Part III of the Local Government Act 2000 and regulations and orders made thereunder have effect as if for references to the Local Commissioner in Wales there were substituted references to the Public Services Ombudsman for Wales.

(1) 2000 c. 22.

(2) 2000 c. 22.