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WELSH STATUTORY INSTRUMENTS

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**2021 No. 1349**

**The Corporate Joint Committees (General)  
(No. 2) (Wales) Regulations 2021**

**PART 2**

**Executive officers**

*Chief executive officer*

**Duty to appoint chief executive officer**

- 3.—**(1) A corporate joint committee must appoint a chief executive.
- (2) The chief executive of a corporate joint committee must—
- (a) keep each of the matters specified in paragraph (3) under review, and
  - (b) where the chief executive considers it appropriate to do so, make a report to the corporate joint committee setting out the chief executive's proposals in respect of any of those matters.
- (3) The matters are—
- (a) the manner in which the exercise by the corporate joint committee of its different functions is co-ordinated,
  - (b) the corporate joint committee's arrangements in relation to—
    - (i) financial planning,
    - (ii) asset management, and
    - (iii) risk management,
  - (c) the number and grades of staff required by the corporate joint committee for the exercise of its functions,
  - (d) the organisation of the corporate joint committee's staff,
  - (e) the appointment of the corporate joint committee's staff, and
  - (f) the arrangements for the management of the corporate joint committee's staff, including any arrangements for training and development.
- (4) As soon as reasonably practicable after preparing a report for the purposes of paragraph (2)(b), the chief executive must arrange for the report to be sent to each member of the corporate joint committee.
- (5) The corporate joint committee must consider a report made under paragraph (2)(b) at a meeting held not more than three months after copies of the report are first sent to the members.
- (6) A corporate joint committee must provide its chief executive with such staff, accommodation and other resources as are, in the chief executive's opinion, sufficient to allow the chief executive's duties under this regulation to be carried out.

(7) Regulation 13 (arrangements for the discharge of functions) does not apply to the duty imposed on a corporate joint committee by paragraph (5).

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**Commencement Information**

**I1** Reg. 3 in force at 3.12.2021, see [reg. 1\(2\)](#)

**The Independent Remuneration Panel for Wales**

4.—(1) In the 2011 Measure—

- (a) in the application of section 142 (functions relating to payments to members) to a corporate joint committee, the reference to 1 April 2012 is to be read as a reference to 1 April 2022;
- (b) in section 143A(7) (functions relating to remuneration of chief executives), in the definition of “chief executive”, after “Local Government and Elections (Wales) Act 2021” insert “or a chief executive appointed by a corporate joint committee”;
- (c) in section 144 (relevant authorities, members etc.)—
  - (i) in subsection (2), before paragraph (e) insert—
    - “(db) a corporate joint committee;”;
  - (ii) in subsection (4) omit “and” after paragraph (b);
  - (iii) in subsection (4), after paragraph (c) insert “, and” and then insert—
    - “(d) a person who is a member of a sub-committee of a corporate joint committee and is entitled to vote on any question to be decided by that sub-committee;”;
  - (iv) in subsection (5), after “relevant authority” insert “other than a corporate joint committee”;
  - (v) in subsection (8), for “(2)(e)” substitute “(2)(db) or (e)”.

(2) For the purposes of this regulation (and therefore in the extension of section 143A of the 2011 Measure to a relevant authority which is a corporate joint committee), until the amendments made to section 143A of the 2011 Measure by paragraph 15 of Schedule 5 to the 2021 Act come into force, section 143A is to be read as if those amendments were in force.

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**Commencement Information**

**I2** Reg. 4 in force at 3.12.2021, see [reg. 1\(2\)](#)

*Chief finance officer*

**Duty to appoint chief finance officer**

5.—(1) Section 151 of the 1972 Act (local authority duty to appoint officer with responsibility for financial administration) is amended as follows.

- (2) The existing text becomes subsection (1).
- (3) After that subsection insert—
  - “(2) This section applies to a corporate joint committee as it applies to a local authority.”

**Commencement Information**

**I3** Reg. 5 in force at 3.12.2021, see [reg. 1\(2\)](#)

**Reporting functions of chief finance officer**

6.—(1) The 1988 Act is amended as follows.

(2) In section 114 (functions of a responsible officer as regards reports), in subsection (3A)—

(a) in paragraph (a), after “Local Government and Housing Act 1989” insert “or, in the case of a corporate joint committee, the person who is for the time being appointed as the authority’s chief executive”;

(b) in paragraph (b), for “that Act” substitute “the Local Government and Housing Act 1989”.

(3) In section 115 (authorities’ duties as regards reports), after subsection (4A) insert—

“(4B) In the case of a corporate joint committee, regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for the discharge of functions) does not apply to the duty under subsection (2).”

**Commencement Information**

**I4** Reg. 6 in force at 3.12.2021, see [reg. 1\(2\)](#)

*Monitoring officer*

**Designation and reports of monitoring officer**

7.—(1) Section 5 of the 1989 Act (designation and reports of monitoring officer) is amended as follows.

(2) Before subsection (1C) insert—

“(1BB) The officer designated under subsection (1)(a) above by a relevant authority which is a corporate joint committee may not be the authority’s chief executive.”

(3) In subsection (3)(a), after “chief finance officer” insert “or, in the case of a relevant authority which is a corporate joint committee, with the person who is for the time being appointed as the authority’s chief executive and with their chief finance officer”.

(4) After subsection (5) insert—

“(5A) In the case of a relevant authority which is a corporate joint committee, regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for the discharge of functions) does not apply to the duty imposed by virtue of subsection (5)(a).”

(5) In subsection (8), in the definition of “relevant authority”, after “below” insert “, a corporate joint committee,”.

**Commencement Information**

**I5** Reg. 7 in force at 3.12.2021, see [reg. 1\(2\)](#)

### **Support and advice functions of monitoring officer**

**8.**—(1) The monitoring officer designated by a corporate joint committee under section 5 of the 1989 Act must provide support and advice to—

- (a) the corporate joint committee in relation to its meetings;
- (b) any sub-committee of the corporate joint committee;
- (c) each member of the corporate joint committee in carrying out their role;
- (d) each person appointed to a sub-committee of the corporate joint committee in carrying out their role.

(2) But the reference to advice in sub-paragraphs (1)(c) and (d) does not include advice about whether or how the corporate joint committee’s functions should be, or should have been, exercised.

(3) The corporate joint committee must provide the monitoring officer with such staff, accommodation and other resources as are, in the monitoring officer’s opinion, sufficient to allow the officer’s functions under this paragraph to be discharged.

(4) The monitoring officer may arrange for the discharge of their functions under this paragraph by a member of staff of the corporate joint committee.

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#### **Commencement Information**

**16** Reg. 8 in force at 3.12.2021, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021, PART 2.