



# Local Government Byelaws (Wales) Act 2012

2012 anaw 2

*Miscellaneous and general*

## 18 Guidance

- (1) The Welsh Ministers may give guidance to legislating authorities about –
  - (a) the making of byelaws to which section 6 or 7 applies;
  - (b) the procedure for making byelaws;
  - (c) the enforcement of byelaws;
  - (d) anything related to these matters including –
    - (i) consultation and publication requirements;
    - (ii) the use of fixed penalties.
- (2) A legislating authority must have regard to the guidance when making or enforcing byelaws.

### Commencement Information

II S. 18 partly in force; s. 18 not in force at Royal Assent; s. 18(1) in force at 30.11.2012, see s. 22(1)(a)

VALID FROM 31/03/2015

## 19 Evidence of byelaws

- (1) The production of a certified copy of a byelaw purporting to be made by a legislating authority is, until the contrary is proved, sufficient evidence of the facts stated in the certificate.

*Status: Point in time view as at 15/08/2014. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Byelaws (Wales) Act 2012, Cross Heading: Miscellaneous and general. (See end of Document for details)*

- (2) For the purposes of this section, a certified copy of a byelaw is a printed copy of the byelaw that is endorsed with a certificate purporting to be signed by the proper officer of a legislating authority stating –
- (a) that the byelaw was made by the authority;
  - (b) that the copy is a true copy of the byelaw;
  - (c) that on a specified date the byelaw was confirmed by the authority named in the certificate or, as the case may be, was sent to the confirming authority and has not been disallowed;
  - (d) the date, if any, fixed by the confirming authority for the coming into effect of the byelaw.
- (3) The requirements in paragraphs (c) and (d) of subsection (2) do not apply if the byelaw was not subject to confirmation after it was made.

VALID FROM 31/03/2015

## **20 Consequential amendments**

Schedule 2 (minor and consequential amendments) has effect.

## **21 Orders and regulations**

- (1) A power to make an order or regulations under this Act (apart from an order under section 22 (commencement)) includes power to make such incidental, consequential, transitional or supplemental provision as the Welsh Ministers consider appropriate.
- (2) In the case of the power under sections 9 and 16, this provision includes provision amending, repealing or revoking enactments.
- (3) Any power of the Welsh Ministers to make an order or regulations under this Act is exercisable by statutory instrument.
- (4) A statutory instrument containing an order under section 9, 13(5) or 16 may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (5) Any other statutory instrument containing an order or regulations under this Act, apart from an instrument containing only an order under section 22 (commencement), is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

## **22 Commencement**

- (1) The following provisions come into force on the day after the day on which this Act receives Royal Assent –
  - (a) section 18(1);
  - (b) section 21;
  - (c) this section;
  - (d) section 23.

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- (2) The other provisions of this Act come into force on such day as the Welsh Ministers may by order appoint.
- (3) An order under subsection (2) –
  - (a) may appoint different days for different purposes;
  - (b) may include transitional, saving or transitory provision.

## **23 Short title**

The short title of this Act is the Local Government Byelaws (Wales) Act 2012.

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