



# Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

## PART 3

### ARRANGEMENTS FOR LOCAL GOVERNMENT

#### CHAPTER 7

##### MISCELLANEOUS PROVISION

#### **48 Directions and guidance relating to Part 3**

- (1) The Welsh Ministers may give the Commission directions relating to the exercise of its functions under this Part.
- (2) In particular, the Welsh Ministers may direct the Commission—
  - (a) to conduct a review under this Part [<sup>F1</sup>(regardless of whether in the circumstances the Commission would have the power, or would be subject to a duty, to conduct the review)],
  - [<sup>F2</sup>(aa) where the Commission has made recommendations or proposals to the Welsh Ministers, to conduct a further review under this Part,
  - (ab) to stop conducting a review under this Part,]
  - (b) not to conduct a review under [<sup>F3</sup>this Part] during a period specified in the direction,
  - [<sup>F4</sup>(c) .....
  - (d) to conduct the reviews required under section 29(1) in a different order from that proposed by the Commission in any current programme for electoral arrangements reviews prepared in accordance that section,
  - (e) to have regard to such particular matters as may be specified in the direction when conducting a review.

*Status: Point in time view as at 01/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Section 48. (See end of Document for details)*

- (3) Subsection (1) does not limit the general power of direction under section 14.
- (4) The Welsh Ministers may give a principal council directions relating to the exercise of its functions under this Part.
- (5) In particular, the Welsh Ministers may direct a principal council<sup>F5</sup>...—
- (a) [<sup>F6</sup>to] conduct a review under section 25 or 31,
  - [<sup>F7</sup>(aa) to stop conducting a review under section 25 or 31,
  - (ab) not to conduct a review under section 25 or 31 during a period specified in the direction,]
  - (b) [<sup>F8</sup>to] have regard to such particular matters as may be specified in the direction when conducting a review.
- (6) A principal council must comply with a direction given by the Welsh Ministers under subsection (4).
- (7) Directions under this section may relate to a particular review, a type of review or to all reviews.
- (8) But before making a direction under this section relating to the review of a principal area or its electoral arrangements (or reviews of principal areas or their electoral arrangements generally), the Welsh Ministers must consult the Commission and any association appearing to them to be representative of local authorities.
- (9) In exercising any function under this Part, the Commission or a principal council must have regard to any guidance issued by the Welsh Ministers.

#### Textual Amendments

- F1** Words in s. 48(2)(a) substituted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(2)(a), 175(7); S.I. 2021/231, reg. 3(b)
- F2** S. 48(2)(aa)(ab) inserted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(2)(b), 175(7); S.I. 2021/231, reg. 3(b)
- F3** Words in s. 48(2)(b) substituted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(2)(c), 175(7); S.I. 2021/231, reg. 3(b)
- F4** S. 48(2)(c) omitted (1.4.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 150(2)(c), 175(7); S.I. 2021/297, reg. 2(d)
- F5** Word in s. 48(5) omitted (1.4.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(3)(a), 175(7); S.I. 2021/231, reg. 3(b)
- F6** Word in s. 48(5)(a) inserted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(3)(b), 175(7); S.I. 2021/231, reg. 3(b)
- F7** S. 48(5)(aa)(ab) inserted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(3)(c), 175(7); S.I. 2021/231, reg. 3(b)
- F8** Word in s. 48(5)(b) inserted (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. 164(3)(d), 175(7); S.I. 2021/231, reg. 3(b)

**Status:**

Point in time view as at 01/04/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Section 48.