Well-being of Future Generations (Wales) Act 2015

2015 anaw 2

An Act of the National Assembly for Wales to make provision requiring public bodies to do things in pursuit of the economic, social, environmental and cultural well-being of Wales in a way that accords with the sustainable development principle; to require public bodies to report on such action; to establish a Commissioner for Future Generations to advise and assist public bodies in doing things in accordance with this Act; to establish public services boards in local authority areas; to make provision requiring those boards to plan and take action in pursuit of economic, social, environmental and cultural well-being in their area; and for connected purposes. [29 April 2015]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

PART 1

INTRODUCTION

1 Overview

(1) This section is an overview of the main provisions of the Act.

(2) Part 2 of this Act—

(a) explains what is meant by "sustainable development" and requires public bodies to carry out sustainable development (sections 2 and 3);

(b) requires the bodies to set well-being objectives that are to contribute to the achievement of well-being goals and to take steps to meet those objectives (section 3)

(c) requires the bodies to do those things in accordance with the sustainable development principle (section 3);

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(d) explains what the well-being goals are and what it means to do things in accordance with the sustainable development principle (sections 4 and 5);

(e) requires indicators that measure progress towards achieving the well-being goals (section 10), and reports on future trends in the well-being of Wales (section 11), to be published by the Welsh Ministers;

(f) requires the bodies to report annually on their progress towards meeting their well-being objectives (sections 12 and 13 and Schedule 1);

(g) requires the Auditor General for Wales to carry out examinations into the extent to which public bodies set objectives and take steps to meet them in accordance with the sustainable development principle (section 15).

(3) Part 3 of this Act—

(a) establishes the office of Future Generations Commissioner for Wales (section 17 and Schedule 2);

(b) provides for the Commissioner to promote the needs of future generations by monitoring and reporting on the extent to which the public bodies are setting and seeking to meet their well-being objectives in accordance with the sustainable development principle (section 18);

(c) provides for the Commissioner to carry out reviews of public bodies (section 20);

(d) establishes a panel of advisers to the Commissioner (sections 26 to 28).

(4) Part 4 of this Act—

(a) establishes a public services board for each local authority area in Wales and sets out who else a board may work with (Chapter 1);

(b) requires boards to improve the well-being of their area by contributing to the well-being goals, which they are to do by assessing well-being in their area, setting local objectives designed to maximise the board's contribution (within its area) to the achievement of the well-being goals and taking steps to meet those objectives (Chapter 2, section 36);

(c) requires boards to do those things in accordance with the sustainable development principle (Chapter 2, section 36);

(d) requires boards to publish local well-being plans setting out their local objectives and how they propose to take steps to meet them (Chapter 2, section 39);

(e) makes specific provision about how local well-being plans apply to community councils and how, in that way, a community council may contribute to the activity of the public services board in its area (Chapter 2, section 40);

(f) provides for boards to merge or otherwise collaborate (Chapter 3).

Commencement Information

I1 S. 1 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(a)**

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PART 2

IMPROVING WELL-BEING

Sustainable development and well-being duty on public bodies

2 Sustainable development

In this Act, "sustainable development" means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle (see section 5), aimed at achieving the well-being goals (see section 4).

Commencement Information
I2 S. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

3 Well-being duty on public bodies

(1) Each public body must carry out sustainable development.

(2) The action a public body takes in carrying out sustainable development must include—
  (a) setting and publishing objectives ("well-being objectives") that are designed to maximise its contribution to achieving each of the well-being goals, and
  (b) taking all reasonable steps (in exercising its functions) to meet those objectives.

(3) A public body that exercises functions in relation to the whole of Wales may set objectives relating to Wales or any part of Wales.

(4) A public body that exercises functions in relation only to a part of Wales may set objectives relating to that part or any part of it.

Commencement Information
I3 S. 3 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

4 The well-being goals

The well-being goals are listed and described in Table 1—

TABLE 1

Goal	Description of the goal
A prosperous Wales.	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops

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	a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
A resilient Wales.	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
A healthier Wales.	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
A more equal Wales.	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
A Wales of cohesive communities.	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language.	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales.	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

Commencement Information

I4 S. 4 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

5 The sustainable development principle

(1) In this Act, any reference to a public body doing something "in accordance with the sustainable development principle" means that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

(2) In order to act in that manner, a public body must take account of the following things—

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(a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;

(b) the need to take an integrated approach, by considering how—

(i) the body's well-being objectives may impact upon each of the well-being goals;

(ii) the body's well-being objectives impact upon each other or upon other public bodies' objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;

(c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of—

(i) Wales (where the body exercises functions in relation to the whole of Wales), or

(ii) the part of Wales in relation to which the body exercises functions;

(d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;

(e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body's well-being objectives, or another body's objectives.

Commencement Information

I5 S. 5 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

6 Meaning of "public body"

(1) For the purposes of this Part and Part 3 of this Act, each of the following persons is a "public body"—

(a) the Welsh Ministers;

(b) a local authority;

(c) a Local Health Board;

(d) the following NHS Trusts—

(i) Public Health Wales;

(ii) Velindre;

(e) a National Park authority for a National Park in Wales;

(f) a Welsh fire and rescue authority;

(g) the Natural Resources Body for Wales;

(h) the Higher Education Funding Council for Wales;

(i) the Arts Council of Wales;

(j) the Sports Council for Wales;

(k) the National Library of Wales;

(l) the National Museum of Wales.

(2) Section 52 enables the Welsh Ministers to amend the meaning of a "public body".

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(3) Chapter 1 of Part 4 provides for persons who are listed as public bodies in subsection (1) (as well as certain other persons who exercise functions of a public nature) to be either members, invited participants or other partners of the public services boards established under that Part.

Commencement Information

I6 S. 6 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(b)**

Well-being objectives

7 Statements about well-being objectives

(1) When publishing the well-being objectives (including well-being objectives revised under section 8 or 9) a public body must also publish a statement—

(a) explaining why the body considers that meeting the objectives will contribute to the achievement of the well-being goals;

(b) explaining why the public body considers it has set well-being objectives in accordance with the sustainable development principle, including how the body proposes to involve other persons with an interest in achieving the well-being goals and ensure that those persons reflect the diversity of the population of—

(i) Wales (where the body exercises functions in relation to the whole of Wales), or

(ii) the part of Wales in relation to which the body exercises functions;

(c) setting out the steps the public body proposes to take to meet those objectives in accordance with the principle (including how it proposes to govern itself, how it will keep the steps under review and how it proposes to ensure that resources are allocated annually for the purpose of taking such steps);

(d) specifying the periods of time within which the body expects to meet the objectives;

(e) providing such other information as the body considers appropriate about taking the steps and meeting the objectives.

(2) The well-being objectives of a public body that is also a member of a public services board may be included in that board's local well-being plan (see Chapters 1 and 2 of Part 4).

Commencement Information

I7 S. 7 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

8 Welsh Ministers' well-being objectives

(1) The Welsh Ministers' well-being objectives must be set and published—

(a) no later than 6 months after the date on which the first general election is held following the commencement of this section, and

(b) no later than 6 months after the date of each subsequent general election.

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(2) The Welsh Ministers' well-being objectives must be set for the period—
  (a) beginning with the day specified for that purpose in the statement published under section 7(1), and
  (b) ending with the day of the next ordinary general election under section 3 of the Government of Wales Act 2006 (c.32).

(3) If the well-being goals are amended, the Welsh Ministers must review their well-being objectives.

(4) If, on a review under subsection (3), the Welsh Ministers determine that one or more of their well-being objectives are no longer appropriate, they must revise the objective or objectives concerned.

(5) The Welsh Ministers may at any other time review and revise their well-being objectives.

(6) Well-being objectives revised under subsection (4) or (5) must be set for the remainder of the period referred to in subsection (2).

(7) Where the Welsh Ministers revise their well-being objectives under subsection (4) or (5), they must publish them as soon as is reasonably practicable.

(8) In setting or revising their well-being objectives, the Welsh Ministers must take into account the Commissioner's report under section 23.

(9) In subsection (1), "general election" means—
  (a) the poll held at an ordinary general election under section 3 of the Government of Wales Act 2006 (c.32), or
  (b) the poll held at an extraordinary general election under section 5 of that Act.

Commencement Information
I8 S. 8 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

9 Other public bodies' well-being objectives

(1) In this section references to a public body do not include the Welsh Ministers .

(2) A public body's well-being objectives must be set and published—
  (a) no later than the beginning of the financial year following the commencement of this section, and
  (b) at such subsequent times as the body considers appropriate.

(3) If the well-being goals are amended, a public body must review its well-being objectives.

(4) If, on a review under subsection (3), a public body determines that one or more of its well-being objectives are no longer appropriate, it must revise the objective or objectives concerned.

(5) A public body may at any other time review and revise its well-being objectives.

(6) Where a public body revises its well-being objectives under subsection (3) or (4), it must publish them as soon as is reasonably practicable.

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(7) In setting or revising its well-being objectives, a public body must take into account the Commissioner's report under section 23.

Commencement Information
I9 S. 9 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Measuring performance towards achieving the goals

10 National indicators and annual well-being report

(1) The Welsh Ministers must—
- (a) publish indicators ("national indicators") that must be applied for the purpose of measuring progress towards the achievement of the well-being goals, and
- (b) lay a copy of the national indicators before the National Assembly.

(2) A national indicator—
- (a) must be expressed as a value or characteristic that can be measured quantitatively or qualitatively against a particular outcome;
- (b) may be measured over such period of time as the Welsh Ministers consider appropriate;
- (c) may be measurable in relation to Wales or any part of Wales.

(3) The Welsh Ministers must set milestones in relation to the national indicators which the Welsh Ministers consider would assist in measuring whether progress is being made towards the achievement of the well-being goals.

(4) In setting a milestone the Welsh Ministers must specify—
- (a) the criteria for determining whether the milestone has been achieved (by reference to the value or characteristic by which the indicator is measured), and
- (b) the time by which the milestone is to be achieved.

(5) If the well-being goals are amended, the Welsh Ministers must review the national indicators and milestones.

(6) If, on a review under subsection (5), the Welsh Ministers determine that one or more of the national indicators or milestones are no longer appropriate, they must revise it or them.

(7) The Welsh Ministers may at any other time review and revise the national indicators and milestones.

(8) Where the Welsh Ministers revise the national indicators and milestones under subsection (6) or (7), they must as soon as reasonably practicable—
- (a) publish the indicators and milestones as revised, and
- (b) lay a copy of them before the National Assembly.

(9) Before publishing national indicators and milestones (including indicators and milestones revised under subsection (6) or (7)), the Welsh Ministers must consult—
- (a) the Commissioner;

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(b) the other public bodies;

(c) such other persons as they consider appropriate.

(10) The Welsh Ministers must, in respect of each financial year beginning after the date on which national indicators are published under subsection (1), publish a report (an "annual well-being report") on the progress made towards the achievement of the well-being goals by reference to the national indicators and milestones.

(11) An annual well-being report under subsection (10) must specify the periods of time to which the measurement of each indicator relates.

Commencement Information

I10 S. 10 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(c)**

11 Future trends report

(1) The Welsh Ministers must, during the period of 12 months beginning with the date of a general election, publish a report (a "future trends report") that contains—

(a) predictions of likely future trends in the economic, social, environmental and cultural well-being of Wales, and

(b) any related analytical data and information that the Welsh Ministers consider appropriate.

(2) In preparing a future trends report the Welsh Ministers must—

(a) take account of any action taken by the United Nations in relation to the UN Sustainable Development Goals and assess the potential impact of that action on the economic, social, environmental and cultural well-being of Wales, and

(b) take account of the report containing an assessment of the risks for the United Kingdom of the current and predicted impact of climate change most recently sent to the Welsh Ministers under section 56(6) of the Climate Change Act 2008 (c.27).

(3) In subsection (2)(a), "UN Sustainable Development Goals" means **[**[F1]the goals set out in "Transforming our world: the 2030 Agenda for Sustainable Development", adopted by the General Assembly of the United Nations by resolution A/Res/70/1 of 25 September 2015**]**.

(4) In subsection (1), the reference to the date of a general election is to the date on which an ordinary general election is held under section 3 of the Government of Wales Act 2006 (c.32) (or would be apart from section 5(5) of that Act).

Textual Amendments

F1 Words in s. 11(3) substituted (21.5.2016) by Environment (Wales) Act 2016 (anaw 3), s. 88(2)(a), **Sch. 2 para. 10(2)**

Commencement Information

I11 S. 11 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

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12 Annual reports by the Welsh Ministers

(1) The Welsh Ministers must—

(a) publish, in respect of each financial year, a report of the progress they have made towards meeting their well-being objectives, and

(b) lay a copy of the report before the National Assembly.

(2) In preparing a report under this section, the Welsh Ministers must review their well-being objectives.

(3) If, on a review under subsection (2), the Welsh Ministers determine that one or more of their well-being objectives are no longer appropriate, they must revise the objective or objectives concerned and publish the revised objective or objectives as soon as practicable.

(4) Where the Welsh Ministers revise one or more of their objectives under subsection (3), the report must include an explanation of the revision and the reasons for making it.

(5) A report under this section must be published and laid before the National Assembly as soon as reasonably practicable following the end of the financial year to which the report relates.

Commencement Information

I12 S. 12 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

13 Annual reports by other public bodies

(1) Schedule 1 makes provision requiring each public body other than the Welsh Ministers to publish annual reports of the progress it has made in meeting its well-being objectives.

(2) In preparing a report under Schedule 1, or under a provision amended by that Schedule, a public body must review its well-being objectives.

(3) If, on a review under subsection (2), a public body determines that one or more of its well-being objectives are no longer appropriate, it must revise the objective or objectives concerned and publish the revised objective or objectives as soon as practicable.

(4) Where a public body revises one or more of its objectives under subsection (3), the report must include an explanation of the revision and the reasons for making it.

Commencement Information

I13 S. 13 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Guidance

14 Guidance

(1) The Welsh Ministers must issue guidance to other public bodies about the exercise of functions under this Part.

Status: *Point in time view as at 21/05/2016.*
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(2) In exercising a function under this Part, a public body must take such guidance into account.

Commencement Information

I14 S. 14 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(d)**

Role of the Auditor General for Wales

15 The sustainable development principle: Auditor General's examinations

(1) The Auditor General for Wales may carry out examinations of public bodies for the purposes of assessing the extent to which a body has acted in accordance with the sustainable development principle when—

(a) setting well-being objectives, and

(b) taking steps to meet those objectives.

(2 The Auditor General must carry out such an examination of each public body at least once during the period mentioned in subsection (6).

(3) Before the end of the period mentioned in subsection (6), the Auditor General must report on the results of the examinations carried out under subsection (1) during that period to the National Assembly.

(4) The Auditor General must lay any report prepared under subsection (3) before the National Assembly.

(5) In carrying out an examination under subsection (1), the Auditor General must—

(a) take into account any advice or assistance given to the public body, or any review of and recommendations made to the body, by the Future Generations Commissioner for Wales (see Part 3), and

(b) consult the Commissioner.

(6) The period referred to in subsections (2) and (3)—

(a begins on the date falling one year before the date on which an ordinary general election is to be held under section 3 of the Government of Wales Act 2006, and

(b) ends on the date falling one day and one year before the date on which the next such election is to be held.

Modifications etc. (not altering text)

C1 S. 15(2)(3)(6)(a) modified (23.11.2015) by The Well-being of Future Generations (Wales) Act 2015 (Consequential Provisions) Regulations 2015 (No. 1924), regs. 1(2), **3**

Commencement Information

I15 S. 15 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Status: *Point in time view as at 21/05/2016.*
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Promotion of sustainable development

16 Promotion of sustainable development

For section 79 of the Government of Wales Act 2006 (c.32) (sustainable development) substitute—

"**79 Sustainable development**

(1) The Welsh Ministers must, in the exercise of their functions, make appropriate arrangements to promote sustainable development.

(2) After each financial year the Welsh Ministers must publish a report containing a statement of the arrangements made in pursuance of subsection (1) that had effect during that financial year and must lay a copy of the report before the Assembly.

(3) The arrangements referred to in subsection (1) may be made by the Welsh Ministers exercising their functions under section (2) of the Well-being of Future Generations (Wales) Act 2015 (duty of Welsh public bodies to set objectives and take steps to meet them in accordance with the sustainable development principle).".

Commencement Information
I16 S. 16 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

PART 3

THE FUTURE GENERATIONS COMMISSIONER FOR WALES

The Commissioner

17 Future Generations Commissioner for Wales

(1) There is to be a Future Generations Commissioner for Wales (referred to in this Act as the "Commissioner").

(2) The Commissioner is to be an individual appointed by the Welsh Ministers.

(3) Before making the appointment under subsection (2), the Welsh Ministers must consult with the National Assembly through its responsible committee.

(4) Schedule 2 makes further provision about the Commissioner.

Commencement Information
I17 S. 17 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(e)**

Status: *Point in time view as at 21/05/2016.*
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18 Commissioner's general duty

The general duty of the Commissioner is—

(a) to promote the sustainable development principle, in particular to—

(i) act as a guardian of the ability of future generations to meet their needs, and

(ii) encourage public bodies to take greater account of the long-term impact of the things that they do, and

(b) for that purpose to monitor and assess the extent to which well-being objectives set by public bodies are being met.

Commencement Information

I18 S. 18 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

The Commissioner's functions

19 Commissioner's functions

(1) The Commissioner may, in carrying out the Commissioner's general duty—

(a) provide advice or assistance to a public body (which includes providing advice on climate change);

(b) provide advice to the Auditor General for Wales on the sustainable development principle;

(c) provide advice or assistance to a public services board in relation to the preparation of its local well-being plan (see section 42);

(d) provide advice or assistance to any other person who the Commissioner considers is taking (or wishes to take) steps that may contribute to the achievement of the well-being goals;

(e) encourage best practice amongst public bodies in taking steps to meet their well-being objectives in accordance with the sustainable development principle;

(f) promote awareness amongst public bodies of the need to take steps to meet their well-being objectives in accordance with the sustainable development principle;

(g) encourage public bodies to work with each other and with other persons if this could assist them to meet their well-being objectives;

(h) seek the advice of an advisory panel (see section 26) in relation to the exercise of any of the Commissioner's functions.

(2) The Commissioner may undertake research or other study into—

(a) the extent to which the well-being goals and national indicators are consistent with the sustainable development principle,

(b) the extent to which the sustainable development principle is taken into account in the national indicators,

(c) the sustainable development principle itself (including how it is applied to setting and meeting objectives), and

(d) anything related to any of those things that impacts upon the economic, social, environmental and cultural well-being of Wales (or any part of Wales).

Status: *Point in time view as at 21/05/2016.*
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(3) References in this section to providing assistance to a public body do not include providing financial assistance.

Commencement Information
I19 S. 19 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

20 Reviews by the Commissioner

(1) The Commissioner may conduct a review into the extent to which a public body is safeguarding the ability of future generations to meet their needs by taking account of the long term impact of things the body does under section 3.

(2) In conducting a review, the Commissioner may review—
- (a) the steps the body has taken or proposes to take to meet its well-being objectives;
- (b) the extent to which the body is meeting its well-being objectives;
- (c) whether a body has set well-being objectives and taken steps to meet them in accordance with the sustainable development principle.

(3) In conducting a review, the Commissioner must have regard to any examination of the body carried out by the Auditor General for Wales under section 15.

(4) In conducting a review, the Commissioner may make recommendations to the public body about—
- (a) the steps the body has taken or proposes to take to meet its well-being objectives;
- (b) how to set well-being objectives and take steps to meet them in accordance with the sustainable development principle.

(5) The Commissioner may conduct a single review of two or more public bodies.

(6) The Commissioner must publish a report of a review (including any recommendations made) and send a copy of it to the Welsh Ministers.

(7) In conducting a review, the Commissioner may require a public body to provide such information as the Commissioner considers relevant to the review.

(8) But a public body is not required to provide information to the Commissioner if the body is prohibited from providing it by virtue of an enactment or any other rule of law.

Commencement Information
I20 S. 20 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

21 Recommendations made by the Commissioner

(1) In providing advice or assistance to the Welsh Ministers, the Commissioner may also make recommendations to the Ministers about the well-being goals or the national indicators.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(2) If the Commissioner makes recommendations under this section, the Commissioner must publish those recommendations.

Commencement Information

I21 S. 21 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

22 Duty to follow recommendations

(1) A public body must take all reasonable steps to follow the course of action set out in a recommendation made to it by the Commissioner under section 20(4) unless—

(a) the public body is satisfied that there is good reason for it not to follow the recommendation in particular categories of case or at all, or

(b) it decides on an alternative course of action in respect of the subject matter of the recommendation.

(2) The Welsh Ministers may issue guidance to other public bodies about how to respond to a recommendation made by the Commissioner.

(3) In deciding how to respond to such a recommendation, a public body must take such guidance into account.

(4) A public body must publish its response to a recommendation made by the Commissioner and if the body does not follow a recommendation, the response must include the body's reasons for that and explain what alternative course of action, if any, it proposes to take.

Commencement Information

I22 S. 22(1)(4) in force at 1.2.2016 by S.I. 2016/86, **art. 2**

I23 S. 22(2) in force at 16.10.2015 by S.I. 2015/1785, **art. 2(f)**

I24 S. 22(3) in force at 16.10.2015 by S.I. 2015/1785, **art. 2(g)**

23 Future Generations report

(1) The Commissioner must prepare and publish, before the end of each reporting period, a report containing the Commissioner's assessment of the improvements public bodies should make in order to set and meet well-being objectives in accordance with the sustainable development principle.

(2) The Commissioner's report must include, in particular, an assessment of how public bodies should—

(a) better safeguard the ability of future generations to meet their needs, and

(b) take greater account of the long-term impact of the things that they do.

(3) In this section and section 24, the “reporting period” is the period—

(a) beginning with the day after that on which a future trends report under section 11 is published, and

(b) ending on the day before the date falling one year before the date on which the poll is to be held at the next general election under section 3 of the Government of Wales Act 2006 (c.32).

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(4) In addition to the assessment mentioned in subsection (1), a report under this section must also include—
  (a) a summary of the evidence gathered and activities undertaken by the Commissioner during the reporting period (see section 24);
  (b) a summary of the reviews conducted by the Commissioner during the reporting period (see section 20);
  (c) a summary of any other action taken by the Commissioner during the reporting period in the exercise of the Commissioner's functions.

(5) A report under this section may include—
  (a) an account of any research or other study undertaken under section 19(2);
  (b) any other information the Commissioner considers appropriate.

(6) The Commissioner must send the Welsh Ministers a copy of a report published under this section.

(7) The Welsh Ministers must lay a copy of a report sent to them under subsection (6) before the National Assembly.

(8) The Welsh Ministers may by regulations amend the reporting period.

Commencement Information
I25 S. 23 partly in force; s. 23 in force for specified purposes at 30.4.2015, see s. 56(1)(b)
I26 S. 23 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

24 Future Generations report: activity during the reporting period

(1) During a reporting period (but before the report under section 23 is published) the Commissioner must consult—
  (a) the advisory panel (see section 26);
  (b) each public body;
  (c) representatives of voluntary organisations in Wales;
  (d) any other person who the Commissioner considers is taking steps (or wishes to take steps) that may contribute to the achievement of the well-being goals;
  (e) representatives of persons resident in each local authority area in Wales;
  (f) representatives of persons carrying on business in Wales;
  (g) trade unions representing workers in Wales;
  (h) any other person the Commissioner considers appropriate to ensure that economic, social, environmental and cultural interests are fully represented.

(2) In preparing a report under section 23 the Commissioner must (in addition to taking into account representations made by the persons consulted under subsection (1)) take into account—
  (a) each annual well-being report under section 10(10) published during the reporting period;
  (b) the future trends report published under section 11 on the day before the beginning of the reporting period;
  (c) relevant reports of the Auditor General for Wales.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I27 S. 24 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

Joint working

25 Joint working

(1) This section applies if the Commissioner intends to conduct a review of a body under section 20 and it appears to the Commissioner that such a review relates to a matter that is the same as, or substantially similar to, the subject matter of—
- (a) a review under section 72B of the Care Standards Act 2000 (c.14) by the Children's Commissioner for Wales;
- (b) a review under section 3 of the Commissioner for Older People (Wales) Act 2006 (c.30) by the Commissioner for Older People in Wales;
- (c) an inquiry under section 7 of the Welsh Language (Wales) Measure 2011 (nawm 1) by the Welsh Language Commissioner.

(2) The Commissioner may—
- (a) inform the other Commissioner about the intention to conduct the review, and
- (b) consult the other Commissioner about the review.

(3) The Commissioners may—
- (a) co-operate with each other;
- (b) jointly prepare and publish a document that is to be treated as both—
  - (i) the report of the review required by section 20(6), and
  - (ii) a report of the review or inquiry referred to in subsection (1) of this section.

Commencement Information
I28 S. 25 in force at 1.2.2016 by S.I. 2016/86, **art. 2**

Advisory panel to the Commissioner

26 Advisory panel

(1) There is to be a panel of advisers (the "advisory panel") for the purpose of providing advice to the Commissioner on the exercise of the Commissioner's functions.

(2) The members of the advisory panel are—
- (a) the Children's Commissioner for Wales;
- (b) the Welsh Language Commissioner;
- (c) the Commissioner for Older People in Wales;
- (d) the member of staff of the Welsh Government designated by the Welsh Ministers as the Chief Medical Officer for Wales;
- (e) the chairperson of the Natural Resources Body for Wales or another non-executive member of that body selected by the chairperson;

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(f) an officer of the body representing trade unions in Wales known as Wales TUC Cymru nominated by that body;

(g) the chairperson, director or similar officer as the Welsh Ministers may appoint of a body representing persons carrying on business in Wales;

(h) such other person as the Welsh Ministers may appoint.

Commencement Information

I29 S. 26 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(h)**

27 Appointed members

(1) Before appointing a member under section 26(2)(h), the Welsh Ministers must consult the Commissioner.

(2) An appointed member holds office for a period of no less than 3 years and no more than 5 years as the Welsh Ministers may determine.

(3) An appointed member may be reappointed once for a further period of no less than 3 years and no more than 5 years (whether or not this period runs consecutively from the member's first appointment).

(4) The Welsh Ministers may pay remuneration to appointed members.

(5) An appointed member may resign from the panel by giving the Welsh Ministers not less than 3 months' notice in writing of the member's intention to do so.

(6) The Welsh Ministers may following consultation with the Commissioner dismiss an appointed member if satisfied that the member—

(a) is unfit to continue as a panel member, or

(b) is unable or unwilling to act as a member.

Commencement Information

I30 S. 27 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(i)**

28 Payment of panel members' expenses

The Welsh Ministers may pay allowances (including travelling and subsistence allowances) and gratuities to the members of the advisory panel.

Commencement Information

I31 S. 28 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(j)**

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

PART 4

PUBLIC SERVICES BOARDS

CHAPTER 1

ESTABLISHMENT, PARTICIPATION AND SCRUTINY

29 Public services boards

(1) There is to be a public services board for each local authority area in Wales.

(2) The members of each board are—
- (a) the local authority;
- (b) the Local Health Board for an area any part of which falls within the local authority area;
- (c) the Welsh fire and rescue authority for an area any part of which falls within the local authority area;
- (d) the Natural Resources Body for Wales.

(3) In this Part, a reference to a "public services board" (or "board") is a reference to the members of that board acting jointly; accordingly, a function expressed as a function of a public services board is a function of each member of the board that may only be exercised jointly with the other members.

Commencement Information
I32 S. 29 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

30 Invitations to participate

(1) A public services board for a local authority area must invite the following persons to participate in the activity of the board—
- (a) the Welsh Ministers;
- (b) the chief constable of the police force for a police area any part of which falls within the local authority area;
- (c) the police and crime commissioner for a police area any part of which falls within the local authority area;
- (d) a person required by arrangements under section 3(2) of the Offender Management Act 2007 (c.21) to provide probation services in relation to the local authority area;
- (e) at least one body representing relevant voluntary organisations (whether or not the body is known as a County Voluntary Council).

(2) Each board may invite any other person who exercises functions of a public nature to participate in the activity of the board, even if that person also exercises other functions.

(3) In this section and section 31, a reference to participating in the activity of a public services board is a reference to working jointly with the board, any member of it or any

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

other person who accepts an invitation to participate under this section, on anything the board does under section 36 (Well-being duty on public services boards).

(4) In subsection (3), "working jointly" includes—

(a) making representations to the board about the content of—

(i) an assessment under section 37, or

(ii) a local well-being plan, a draft plan or proposed amendments to a plan (see sections 43(1) and 44(4)),

(b) taking part in meetings of the board (which includes, upon the invitation of the members of the board and subject to paragraphs 2(1) and 3(1) of Schedule 3, chairing meetings), and

(c) providing other advice and assistance to the board.

(5) A person who accepts an invitation to participate in the activity of a public services board—

(a) is referred to in this Part as an "invited participant"; but

(b) does not become a member of the board by virtue of accepting the invitation.

(6) The reference in subsection (4)(c) to providing assistance does not include providing financial assistance.

Commencement Information

I33 S. 30 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

31 Invitations to participate: issue, response and duration of participation

(1) An invitation under section 30(1) must be issued as soon as is reasonably practicable following—

(a) the first meeting of a public services board (see paragraph 2(1) of Schedule 3), and

(b) each meeting held under paragraph 3(1) of that Schedule.

(2) An invitation under section 30(1) or (2)—

(a) may be in such form as the board determines; but

(b) must specify the person to whom a response is to be sent.

(3) An invited participant may participate in the activity of a board in the period—

(a) beginning with the date on which the response accepting the invitation is received by the person to whom it is to be sent, and

(b) ending on the date on which the next ordinary election is held under section 26 of the Local Government Act 1972 (c.70) (election of councillors).

Commencement Information

I34 S. 31 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

32 Other partners

(1) A public services board's other partners are—

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(a) a community council for a community in an area which (or any part of which) falls within the local authority area (but see also section 40);
(b) the Public Health Wales NHS trust;
(c) a Community Health Council for an area which (or any part of which) falls within the local authority area;
(d) a National Park authority for a National Park in Wales any part of which falls within the local authority area;
(e) the Higher Education Funding Council for Wales;
(f) an institution in the further education sector or the higher education sector situated in whole or in part within the local authority area;
(g) the Arts Council of Wales;
(h) the Sports Council for Wales;
(i) the National Library of Wales;
(j) the National Museum of Wales.

(2) In exercising its functions, a board—
(a) must seek advice from its other partners, and
(b) must otherwise involve them in such manner and to such extent as it considers appropriate.

(3) In subsection (1)(f), "further education sector" and "higher education sector" have the same meaning as in the Further and Higher Education Act 1992 (c.13).

Commencement Information
I35 S. 32 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

33 Changes in participation

(1) The Welsh Ministers may, by regulations, amend section 29(2), 30(1) or 32(1) by—
(a) adding a person,
(b) removing a person, or
(c) amending the description of a person.

(2) But the Welsh Ministers may amend section 29(2), 30(1) or 32(1) by adding a person only if that person exercises functions of a public nature.

(3) If the Welsh Ministers amend section 29(2), 30(1) or 32(1) so as to add a person who has functions of a public nature and other functions, this Part applies to that person only in relation to those of the person's functions that are of a public nature.

(4) Before making regulations under subsection (1), the Welsh Ministers must consult—
(a) the members, invited participants and other partners of the public services board to which the proposed regulations relate, and
(b) if such regulations are to amend section 29(2), 30(1) or 32(1) so as to add a person, that person.

Commencement Information
I36 S. 33 partly in force; s. 33 in force for specified purposes at 30.4.2015, see s. 56(1)(b)

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

I37 S. 33 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

34 Meetings and terms of reference

Schedule 3 makes further provision about public services boards (including provision about their meetings and terms of reference).

Commencement Information
I38 S. 34 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

35 Overview and scrutiny committee of local authority

(1) Executive arrangements by a local authority under Part 2 of the Local Government Act 2000 (c. 22) must ensure that its overview and scrutiny committee has power—
- (a) to review or scrutinise decisions made, t or other action taken, by the public services board for the local authority area in the exercise of its functions;
- (b) to review or scrutinise the board's governance arrangements;
- (c) to make reports or recommendations to the board with respect to the board's functions or governance arrangements;
- (d) to consider such matters relating to the board as the Welsh Ministers may refer to it and to report to the Welsh Ministers accordingly;
- (e) to carry out such other functions in relation to the board as are imposed on it by this Act.

(2) An overview and scrutiny committee must send a copy of any report or recommendation made under subsection (1)(c) to—
- (a) the Welsh Ministers;
- (b) the Commissioner;
- (c) the Auditor General for Wales.

(3) An overview and scrutiny committee may, for the purpose of exercising a power mentioned in subsection (1), require one or more of the persons who may attend a meeting of the public services board (see paragraph 7 of Schedule 3), or anyone designated by such a person, to attend a meeting of the committee and provide it with explanations of such matters as it may specify.

(4) Where a local authority has more than one overview and scrutiny committee, the references in this Part to its overview and scrutiny committee are to the committee that the local authority designates for the purposes of this section.

Commencement Information
I39 S. 35 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

CHAPTER 2

IMPROVING LOCAL WELL-BEING

Well-being duty on public services boards

36 Well-being duty on public services boards

(1) Each public services board must improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.

(2) A public services board's contribution to the achievement of the goals must include—
- (a) assessing the state of economic, social, environmental and cultural well-being in its area (see sections 37 and 38),
- (b) setting objectives ("local objectives") that are designed to maximise its contribution within its area to achieving those goals, and
- (c) the taking of all reasonable steps by members of the board (in exercising their functions) to meet those objectives (but see section 39(2)(b)).

(3) Anything a public services board does under this section must be done in accordance with the sustainable development principle.

(4) Sections 39 to 45 make provision about local well-being plans including provision requiring public services boards to set out in such plans their local objectives and the steps they propose to take to meet them.

Commencement Information
I40 S. 36 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local well-being assessments

37 Assessments of local well-being

(1) A public services board must prepare and publish an assessment of the state of economic, social, environmental and cultural well-being in its area.

(2) Each board must publish the assessment no later than one year before the date on which a local well-being plan is to be published under subsection (6) or (7) of section 39.

(3) An assessment must—
- (a) set out which community areas comprise the area of the board;
- (b) include an analysis of the state of well-being in each community area and in the area as a whole;
- (c) include an analysis of the state of well-being of the people in the area;
- (d) include any further analysis that the board carries out by reference to criteria set and applied by it for the purpose of assessing economic, social, environmental and cultural well-being in the area or in any community situated in the area;

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(e) include predictions of likely future trends in the economic, social, environmental and cultural well-being of the area;

(f) include any other related analytical data and information that the board considers appropriate.

(4) An analysis referred to in subsection (3)—

(a) must refer to any national indicators published under section 10;

(b) must refer to a future trends reports under section 11 to the extent that it is relevant to the assessment of well-being in the area.

(5) The community areas that comprise the area of a board are to be determined—

(a) in accordance with regulations made by the Welsh Ministers, or

(b) if no such regulations have been made, by the board.

(6) The analysis referred to in subsection (3)(c) may include analyses of particular categories of persons determined by the board by reference to—

(a) the fact that persons are vulnerable or otherwise disadvantaged for the same or similar reasons;

(b) the persons possessing a common protected characteristic within the meaning of Chapter 1 of Part 2 of the Equality Act 2010 (c.15);

(c) the persons being children (persons under the age of 18);

(d) the persons being young people entitled to support under sections 105 to 115 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) as described in section 104 of that Act;

(e) whether the persons—

(i) may have need for care and support (as described in Part 3 of the Social Services and Well-being (Wales) Act 2014) (anaw 4)); or

(ii) provide or intend to provide care and support for persons who may need it;

(f) any other common factor the Board considers appropriate in describing a category of persons.

(7) Each board must send a copy of its assessment to—

(a) the Welsh Ministers;

(b) the Commissioner;

(c) the Auditor General for Wales;

(d) the local authority's overview and scrutiny committee.

Commencement Information

I41 S. 37 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

38 Preparation of assessments

(1) Before publishing its assessment under section 37, a public services board must consult—

(a) the Commissioner;

(b) the board's invited participants;

(c) its other partners;

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(d) such of the persons who received but did not accept an invitation from the board under section 30 as the board considers appropriate;

(e) the local authority's overview and scrutiny committee;

(f) any relevant voluntary organisation as the board considers appropriate;

(g) representatives of persons resident in its area;

(h) representatives of persons carrying on business in its area;

(i) trade unions representing workers in its area;

(j) such persons with an interest in the maintenance and enhancement of natural resources in the board's area, as the board considers appropriate;

(k) any other persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being.

(2) As part of the consultation under subsection (1), each board must provide each consultee with a draft of its assessment.

(3) In preparing its assessment, each board must take each of the following into account—

(a) the report containing an assessment of the risks for the United Kingdom of the current and predicted impact of climate change most recently sent to the Welsh Ministers under section 56(6) of the Climate Change Act 2008 (c.27);

(b) the most recent review of the sufficiency of nursery education provision for the local authority area carried out under section 119(5)(a) of the School Standards and Frameworks Act 1998 (c.31);

(c) the most recent assessment of the sufficiency of the provision of childcare in the local authority area carried out in accordance with regulations made under section 26(1) of the Childcare Act 2006 (c.21);

(d) the most recent assessment of the sufficiency of play opportunities in the local authority area carried out under section 11(1) of the Children and Families (Wales) Measure 2010 (nawm 1);

(e) the most recent assessment carried out by the local authority in conjunction with a Local Health Board under section 14 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) (assessment of needs for care and support, support for carers and preventative services);

(f) the most recent strategic assessment prepared in accordance with regulations under section 6 of the Crime and Disorder Act 1998 (c.37) relating to reducing crime and disorder in the local authority area;

(g) the most recent strategic assessment prepared in accordance with regulations under that section relating to combating substance misuse in the local authority area;

[[F2](ga) each area statement under section 11 of the Environment (Wales) Act 2016 (if any) which relates to any part of the local authority's area;**]**

(h) the most recent strategic assessment prepared in accordance with regulations under that section relating to the reduction of reoffending in the local authority area;

(i) such other review or assessment in relation to the local authority area as may be prescribed by the Welsh Ministers in regulations (or such other analysis as may be designated in such regulations as a review or assessment for the purposes of this section).

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Textual Amendments

F2 S. 38(3)(ga) inserted (21.5.2016) by Environment (Wales) Act 2016 (anaw 3), s. 88(2)(a), **Sch. 2 para. 10(3)**

Commencement Information

I42 S. 38 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local well-being plans

39 Local well-being plans

(1) A public services board must prepare and publish a plan (a "local well-being plan") setting out its local objectives and the steps it proposes to take to meet them.

(2) The plan may include objectives—

(a) that are also well-being objectives published under Part 2 by a member of the board;

(b) that are to be met by the taking of steps—

(i) by one or more members of the board, invited participants or other partners acting individually, or

(ii) any combination of members, invited participants or other partners acting jointly.

(3) But a plan may include an objective which is to be met by steps which are to be taken by an invited participant or other partner (whether individually or jointly in any combination of members, invited participants or other partners) only if the board has obtained the agreement of that invited participant or other partner, as the case may be.

(4) In setting its well-being objectives a board must take into account the Commissioner's report under section 23.

(5) A local well-being plan must include a statement—

(a) explaining why the board considers that meeting the local objectives will contribute within the area to achieving the well-being goals;

(b) explaining how the objectives and any proposed steps have been set with regard to any matters mentioned in the most recent assessment of well-being published under section 37;

(c) specifying the periods of time within which the board expects to meet the objectives;

(d) explaining how any proposed steps are to be taken in accordance with the sustainable development principle;

(e) if the plan includes objectives referred to in subsection (2)(b), specifying the proposed steps to be taken to meet those objectives and, in the case of steps to be taken by a combination of members of the board, invited participants or other partners, the persons making up the combination;

(f) if the plan is not the first plan published by the board, specifying the steps taken to meet the objectives set out in the board's previous plan and specifying the extent to which those objectives have been met;

(g) providing such other information as the board considers appropriate.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(6) Each board must publish its first local well-being plan no later than one year after the date on which the next ordinary election under section 26 of the Local Government Act 1972 (c. 70) following the commencement of this section is held.

(7) Subsequently, each board must publish a local well-being plan no later than one year after the date on which each subsequent ordinary election under that section is held.

(8) Each board must send a copy of its plan to—
- (a) the Welsh Ministers;
- (b) the Commissioner;
- (c) the Auditor General for Wales;
- (d) the local authority's overview and scrutiny committee.

Commencement Information
I43 S. 39 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

40 Local well-being plans: role of community councils

(1) A community council must take all reasonable steps in its area towards meeting the local objectives included in the local well-being plan that has effect in its area.

(2) But a community council is subject to the duty under subsection (1) only if, for each of the preceding three financial years prior to the local well-being plan for its area being published, either its gross income or its gross expenditure was at least £200,000.

(3) The Welsh Ministers may, by regulations, amend the criteria specified in subsection (2) for determining whether a community council is subject to the duty under subsection (1); and the regulations may reflect provision made about community councils in regulations under section 39 of the Public Audit (Wales) Act 2004 (c.23).

(4) Before making regulations under subsection (3), the Welsh Ministers must consult—
- (a) the Commissioner;
- (b) the community councils that would become subject to the duty under subsection (1) if the regulations were made;
- (c) such other persons as the Welsh Ministers consider appropriate.

(5) A community council must publish, in respect of each financial year in which it was subject to the duty under subsection (1), a report of the progress it has made in its area in meeting the local objectives included in the local well-being plan that has effect in its area.

(6) A report under subsection (5) must be published as soon as reasonably practicable following the end of the financial year to which the report relates.

(7) The Welsh Ministers must issue guidance to community councils that are subject to the duty under subsection (1) about the exercise of the duty.

(8) In carrying out the duty under subsection (1), a community council must take such guidance into account.

Commencement Information

I44 S. 40 partly in force; s. 40 in force for specified purposes at 30.4.2015, see s. 56(1)(b)

I45 S. 40(1)-(6) in force at 1.4.2016 by S.I. 2016/86, **art. 3**

I46 S. 40(7) in force at 16.10.2015 by S.I. 2015/1785, **art. 2(k)**

I47 S. 40(8) in force at 16.10.2015 by S.I. 2015/1785, **art. 2(l)**

41 Preparation of local well-being plans: information about activities of others

(1) In preparing its local well-being plan (and before consulting under section 43), a public services board may require any person mentioned in subsection (2) to provide the board with information about any action it takes that may contribute within the board's area to achieving the well-being goals.

(2) The persons are—

(a) the persons invited to participate in the activities of the board, except the Welsh Ministers (see section 30);

(b) the board's other partners (see section 32).

(3) But a person mentioned in subsection (2) is not required to provide information to a public services board—

(a) if the person considers that doing so would—

(i) be incompatible with the person's duties, or

(ii) otherwise have an adverse effect on the exercise of the person's functions, or

(b) if the person is prohibited from providing it by virtue of an enactment or any other rule of law.

(4) Where a person mentioned in subsection (2) decides, in reliance on subsection (3)(a), that it is not required to provide information to a public services board, it must provide the board with written reasons for its decision.

Commencement Information

I48 S. 41 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

42 Preparation of local well-being plans: Commissioner's advice

(1) In preparing its local well-being plan (and before consulting under section 43), a public services board must seek the advice of the Commissioner on how to take steps to meet the local objectives to be included in the plan in accordance with the sustainable development principle.

(2) The Commissioner must give the advice—

(a) in writing, and

(b) no later than 14 weeks after it is sought.

(3) Each board must publish the Commissioner's advice at the same time as it publishes the local well-being plan.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I49 S. 42 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

43 Preparation of local well-being plans: further consultation and approval

(1) Before publishing its local well-being plan, a public services board must consult—
- (a) the Commissioner (having received advice from the Commissioner under section 42(2));
- (b) its invited participants;
- (c) its other partners;
- (d) such of the persons who received but did not accept an invitation from the board under section 30 as the board considers appropriate;
- (e) the local authority's overview and scrutiny committee;
- (f) any relevant voluntary organisation as the board considers appropriate;
- (g) representatives of persons resident in its area;
- (h) representatives of persons carrying on business in its area;
- (i) trade unions representing workers in its area;
- (j) such persons with an interest in the maintenance and enhancement of natural resources in the board's area, as the board considers appropriate;
- (k) any other persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being.

(2) As part of the consultation under subsection (1), each board must provide each consultee with a draft local well-being plan.

(3) The consultation under subsection (1) must not end until at least 12 weeks have passed since the day on which it began.

(4) Before publishing its local well-being plan, a public services board must hold a meeting at which each member confirms its approval of the plan for publication.

(5) If the local authority is operating executive arrangements under Part 2 of the Local Government Act 2000 (c.22), the function of approving the local well-being plan for publication may not be exercised by an executive of the authority under those arrangements; nor does section 101 of the Local Government Act 1972 (c. 70) (discharge of functions by committees etc.) apply to that function.

(6) In the case of each Local Health Board, each Welsh fire and rescue authority and the Natural Resources Body for Wales, the function of approving the local well-being plan for publication may only be exercised at a meeting of the body in question.

Commencement Information
I50 S. 43 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

44 Review of local well-being plans

(1) A public services board may—

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(a) review and revise its local objectives;
(b) review and amend its local well-being plan (and must amend its plan if it has revised its local objectives).

(2) Each board—
(a) must review its local objectives or local well-being plan if directed to do so by the Welsh Ministers, and
(b) may revise its objectives or amend its plan in consequence of such a review.

(3) When giving a direction under subsection (2)(a) the Welsh Ministers must publish a statement containing their reasons for giving it.

(4) Before making an amendment to its plan, each board must consult—
(a) the Commissioner;
(b) the persons mentioned in section 43(1).

(5) An amended plan must be published as soon as reasonably practicable.

(6) A board must send a copy of its amended plan to—
(a) the Welsh Ministers;
(b) the Commissioner;
(c) the Auditor General for Wales;
(d) the local authority's overview and scrutiny committee.

Commencement Information
I51 S. 44 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

45 Annual progress reports

(1) A public services board must prepare and publish a report—
(a) no later than 14 months after the publication of its local well-being plan, and
(b) subsequently no later than one year after the publication of each previous report under this section.

(2) But no report is required under subsection (1)(b) if a local well-being plan is to be published by virtue of section 39(7) (publication of new local well-being plan following election) no later than one year after the publication of the previous report under this section.

(3) A report under this section must specify the steps taken since the publication of the board's most recent local well-being plan to meet the objectives set out in the plan.

(4) A report under this section may contain such other information as the board considers appropriate.

(5) A board must send a copy of each report published under this section to—
(a) the Welsh Ministers;
(b) the Commissioner;
(c) the Auditor General for Wales;
(d) the local authority's overview and scrutiny committee.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I52 S. 45 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Consequential modifications

46 Modifications of enactments

Schedule 4 contains amendments and repeals in consequence of the provisions of this Part requiring the publication of local well-being assessments (under section 37) and local well-being plans (under section 39).

Commencement Information
I53 S. 46 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

CHAPTER 3

MISCELLANEOUS

47 Merging public services boards

(1) Two or more public services boards may agree to merge if they consider it would assist them in contributing to the achievement of the well-being goals.

(2) The Welsh Ministers may direct two or more public services boards to merge if the Welsh Ministers consider it would assist the boards in contributing to the achievement of the well-being goals.

(3) But boards may merge only if—
- (a) the same Local Health Board is a member of each board seeking or being directed to merge, and
- (b) no other Local Health Board is a member of any of those boards.

(4) If two or more boards merge—
- (a) references in this Part (other than in this section) to a public services board must be construed as references to the merged board, and
- (b) references in this Part to a local authority area must be construed as references to the combined areas of the local authorities that are members of the merged board.

Commencement Information
I54 S. 47 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

48 Collaboration between public services boards

(1) Two or more public services boards may agree to collaborate if they consider it would assist them in contributing to the achievement of the well-being goals.

(2) The Welsh Ministers may direct two or more public services boards to collaborate in whatever way the Welsh Ministers consider would assist the boards in contributing to the achievement of the well-being goals.

(3) For the purposes of this section, a board collaborates if it—

(a) co-operates with another board,

(b) facilitates the activities of another board,

(c) co-ordinates its activities with another board,

(d) exercises another board's functions on its behalf, or

(e) provides staff, goods, services or accommodation to another board.

Commencement Information

I55 S. 48 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

49 Directions to merge or collaborate

(1) Before giving a direction under section 47(2) or 48(2) the Welsh Ministers must consult each member of the public services boards they intend to direct.

(2) When giving such a direction the Welsh Ministers must publish a statement containing their reasons for giving it.

Commencement Information

I56 S. 49 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

50 Performance indicators and standards

(1) The Welsh Ministers may by regulations set indicators and standards by reference to which public services boards' performance in exercising functions can be measured.

(2) Before making regulations under subsection (1), the Welsh Ministers must consult—

(a) the members of the boards or persons appearing to the Welsh Ministers to represent those members;

(b) any other persons the Welsh Ministers consider appropriate.

Commencement Information

I57 S. 50 partly in force; s. 50 in force for specified purposes at 30.4.2015, see s. 56(1)(b)

I58 S. 50 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

51 Guidance

(1) The Welsh Ministers must issue guidance to public services boards about the exercise of functions under this Part.

(2) In exercising a function under this Part, a public services board must take such guidance into account.

Commencement Information

I59 S. 51 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(m)**

PART 5

FINAL PROVISIONS

52 Meaning of "public body": further provision

(1) The Welsh Ministers may, by regulations, amend section 6(1) by—
- (a) adding a person,
- (b) removing a person, or
- (c) amending the description of a person.

(2) But the regulations may amend section 6(1) by adding a person only if that person exercises functions of a public nature.

(3) If the regulations amend section 6(1) so as to add a person who has functions of a public nature and other functions, Parts 1 to 3 apply to that person only in relation to those of the person's functions that are of a public nature.

(4) Before making regulations that amend section 6(1), the Welsh Ministers must consult—
- (a) the Commissioner;
- (b) such other persons as the Welsh Ministers consider appropriate;
- (c) if the regulations amend section 6(1) so as to add a person, that person.

Commencement Information

I60 S. 52 partly in force; s. 52 in force for specified purposes at 30.4.2015, see s. 56(1)(b)

I61 S. 52 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(n)**

53 Power to make consequential etc. provision

(1) The Welsh Ministers may by regulations make consequential, incidental, supplemental, transitional or saving provision for the purposes of, or in connection with, giving full effect to a provision of this Act.

(2) The regulations may (among other things) amend, repeal or revoke an enactment contained in or in an instrument made under—
- (a) an Act of Parliament;

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(b) a Measure or Act of the National Assembly (including this Act).

(3) The reference in subsection (2) to an enactment includes a reference to an enactment passed or made after the passing of this Act.

(4) The power conferred by this section is not restricted by any other provision of this Act.

54 Regulations

(1) A power to make regulations under this Act includes—

(a) power to make different provision for different purposes or areas;

(b) power to make such incidental, consequential, transitional or supplemental provision as the Welsh Ministers consider appropriate.

(2) Any power of the Welsh Ministers to make regulations under this Act is exercisable by statutory instrument.

(3) A statutory instrument containing provision such as is mentioned in subsection (1)(b) may, in the case of regulations under section 33(1), 40(3) or 52(1), contain provision amending an enactment contained in or an instrument made under—

(a) an Act of Parliament;

(b) a Measure or Act of the National Assembly (including this Act).

(4) A statutory instrument containing any of the following (whether alone or with any other provision)—

(a) regulations under section 40(3) or 52(1),

(b) regulations under section 33(1) that amend section 29(2) or 30(1), or

(c) regulations under section 53 that amend or repeal a provision of an Act of Parliament or of a Measure or Act of the National Assembly,

may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly.

(5) Any other statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of the National Assembly.

(6) The reference in subsection (3) to an enactment includes a reference to an enactment passed or made after the passing of this Act.

55 Interpretation

(1) In this Act—

"the advisory panel" ("*y panel cynghori*") means the panel of advisers established under section 26;

"the Commissioner" ("*y Comisiynydd*") means the Future Generations Commissioner for Wales;

"financial year" ("*blwyddyn ariannol*") means the period of 12 months ending with 31 March;

"future trends report" ("*adroddiad tueddiadau tebygol y dyfodol*") has the meaning given by section 11;

"invited participant" ("*cyfranogwr gwadd*") has the meaning given by section 30(5);

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

"local authority" ("*awdurdod lleol*") means a county council or county borough council in Wales;

"Local Health Board" ("*Bwrdd Iechyd Lleol*") means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006 (c.42);

"local objectives" ("*amcanion lleol*") means objectives set by a public services board in accordance with section 36(2)(b);

"local well-being plan" ("*cynllun llesiant lleol*") means a plan published under section 39 or amended and published as amended under section 44(5);

"National Assembly" ("*Cynulliad Cenedlaethol*") means the National Assembly for Wales;

"national indicators" ("*dangosyddion cenedlaethol*") has the meaning given by section 10(1)(a);

"other partners" ("*partneriaid eraill*"), in relation to a public services board, means the bodies mentioned in section 32(1);

"overview and scrutiny committee" ("*pwyllgor trosolwg a chraffu*") is to be construed in accordance with section 35(4);

"police area" ("*ardal heddlu*") means an area listed under the heading "Wales" in Schedule 1 to the Police Act 1996 (c.16) (police areas outside London);

"Public Accounts Committee of the National Assembly" ("*Pwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol*") means the committee referred to as the "Audit Committee" in section 30 of the Government of Wales Act 2006 (c.32);

"public body" ("*corff cyhoeddus*") has the meaning given by sections 6 and 52;

"public services board" ("*bwrdd gwasanaethau cyhoeddus*") has the meaning given by sections 29 and 47(4)(a);

"sustainable development" ("*datblygu cynaliadwy*") has the meaning given by section 2;

"sustainable development principle" ("*egwyddor datblygu cynaliadwy*") has the meaning given by section 5;

"trade union" ("*undeb llafur*") has the meaning given by section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992 (c.52);

"well-being goals" ("*nodau llesiant*") means the goals specified in section 4;

"well-being objectives" ("*amcanion llesiant*") means objectives published under section 7 or revised and published as revised under section 8 or 9;

"Welsh fire and rescue authority" ("*awdurdod tân ac achub*") means the authority in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21) or a scheme to which section 4 of that Act applies.

(2) In Part 4 of this Act a "relevant voluntary organisation" means a body (other than a body that exercises functions of a public nature) whose activities—

(a) are carried on otherwise than for profit, and

(b) directly or indirectly benefit the whole or any part of a public services board's area.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(3) A registered social landlord (within the meaning of Part 1 of the Housing Act 1996) that provides housing in the local authority area is a relevant voluntary organisation for the purposes of Part 4 of this Act.

56 Commencement

(1) The following provisions of this Act come into force on the day after the day on which this Act receives Royal Assent—

(a) sections 53 to 55, this section and section 57;

(b) any other provision so far as is necessary for enabling the exercise after the day on which this Act receives Royal Assent of any power to make regulations under the Act.

(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 or areas;

(b) may include transitional or saving provision.

(4) The power of the Welsh Ministers to make an order under subsection (2) is exercisable by statutory instrument.

57 Short title

The short title of this Act is the Well-being of Future Generations (Wales) Act 2015.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULE 1

(as introduced by section 13(1))

ANNUAL REPORTS BY OTHER PUBLIC BODIES

Public bodies: general

1 (1) A public body (other than the Welsh Ministers or one mentioned in sub-paragraph (3)) must publish, in respect of each financial year, a report of the progress it has made in meeting its well-being objectives.

(2) A report under this paragraph must be published as soon as reasonably practicable following the end of the financial year to which the report relates.

(3) This paragraph does not apply to—

(a) a Local Health Board or NHS trust (as to which, see paragraph 2);

(b) the Natural Resources Body for Wales (as to which, see paragraph 3).

Commencement Information

I62 Sch. 1 para. 1 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Health Boards and NHS trusts

2 (1) A Local Health Board or NHS trust must publish, in respect of each accounting year, a report of the progress it has made in meeting its well-being objectives.

(2) A report published under this paragraph must be published as soon as reasonably practicable following the end of the accounting year to which the report relates.

(3) In this paragraph, "accounting year" in relation to a Local Health Board or NHS trust has the meaning given by the order—

(a) made under section 11 of the National Health Service (Wales) Act 2006, establishing the Board, or

(b) made under section 18 of that Act, establishing the trust.

Commencement Information

I63 Sch. 1 para. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

The Natural Resources Body for Wales

3 (1) In the Schedule to the Natural Resources Body for Wales (Establishment) Order 2012 (S.I.2012/1903 (W. 230)), in paragraph 22(1)(a), after "year" insert " including a report of the progress made by the authority in meeting its well-being objectives published under Part 2 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) ".

(2) The amendment made by sub-paragraph (1) does not affect the power of the Welsh Ministers to make a further order under sections 13 and 15 of the Public Bodies Act 2011 (c. 24) amending or revoking provision made by that amendment.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I64 Sch. 1 para. 3 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

SCHEDULE 2

(as introduced by section 17(4))

THE FUTURE GENERATIONS COMMISSIONER FOR WALES

Status

1 (1) The Commissioner is a corporation sole.

(2) The Commissioner is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

(3) The Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.

Commencement Information
I65 Sch. 2 para. 1 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Validity of acts

2 (1) The validity of an act of an individual as Commissioner is not affected by a defect in the appointment of—

(a) that individual;

(b) any member of the advisory panel.

(2) The validity of an act of a person exercising functions on behalf of the Commissioner is not affected by a defect in the appointment of—

(a) that person;

(b) the Commissioner;

(c) any member of the advisory panel.

Commencement Information
I66 Sch. 2 para. 2 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Duration of appointment

3 An individual appointed as Commissioner holds office for a period of 7 years.

Commencement Information
I67 Sch. 2 para. 3 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Terms of appointment

4 The Commissioner holds office subject to—

(a) the provisions of this Schedule, and

(b) any additional terms of appointment as may be specified from time to time by the Welsh Ministers.

Commencement Information

I68 Sch. 2 para. 4 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Remuneration, allowances and pensions

5 (1) The Welsh Ministers may pay remuneration to the Commissioner.

(2) The Welsh Ministers may pay allowances (including travelling and subsistence allowances) and gratuities to the Commissioner.

(3) The Welsh Ministers may pay—

(a) pensions to, or in respect of, individuals who have been Commissioner, and

(b) amounts for or towards provision of pensions to, or in respect of, individuals who have been Commissioner.

Commencement Information

I69 Sch. 2 para. 5 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Disqualification

6 (1) An individual cannot be appointed as Commissioner if the individual is disqualified on any of the grounds specified in sub-paragraph (3).

(2) An individual ceases to be Commissioner if the individual is disqualified on any of the grounds specified in sub-paragraph (3).

(3) An individual is disqualified from being Commissioner if the individual is—

(a) a Member of the National Assembly;

(b) a member of the advisory panel;

(c) the holder of any other office or position to which a person may be appointed, or recommended or nominated for appointment, by or on behalf of—

(i) the Crown,

(ii) the National Assembly, or

(iii) the National Assembly for Wales Commission;

(d) a Member of the House of Commons or House of Lords;

(e) a Member of the Scottish Parliament;

(f) a Member of the Northern Ireland Assembly;

(g) a Member of the European Parliament;

(h) a member of a county council, a county borough council or a community council in Wales;

(i) a member of the Commissioner's staff.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I70 Sch. 2 para. 6 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

End of appointment (other than through disqualification)

7 (1) The Commissioner may resign from office by giving the Welsh Ministers not less than 3 months' notice in writing of the Commissioner's intention to do so.

(2) The Welsh Ministers may dismiss the Commissioner if satisfied that the Commissioner—
(a) is unfit to continue as Commissioner, or
(b) is unable or unwilling to exercise the Commissioner's functions.

Commencement Information
I71 Sch. 2 para. 7 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Powers

8 (1) The Commissioner may do anything the Commissioner considers appropriate in connection with the Commissioner's functions, including—
(a) charging for the provision of advice or other services;
(b) paying third parties for the provision of advice or other services;
(c) accepting gifts of money or other property.

(2) The Commissioner must not—
(a) provide financial assistance to any person;
(b) acquire or dispose of any interest in land,
without the approval of the Welsh Ministers.

(3) The Commissioner's power to charge for the provision of advice or another service is limited to charging such amounts as the Commissioner thinks appropriate to recover the actual or estimated costs to the Commissioner of providing that advice or service.

Commencement Information
I72 Sch. 2 para. 8 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Staff

9 (1) The Commissioner may appoint such staff as the Commissioner considers appropriate in connection with the exercise of the Commissioner's functions and must appoint a member of staff to be the Deputy Commissioner (see paragraph 11).

(2) The Commissioner may pay remuneration to the members of the Commissioner's staff.

(3) The Commissioner may pay allowances (including travelling and subsistence allowances) and gratuities to the members of the Commissioner's staff.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(4) The Commissioner may pay—

(a) pensions to, or in respect of, persons who have been members of the Commissioner's staff, and

(b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Commissioner's staff.

(5) The Commissioner must obtain the approval of the Welsh Ministers for—

(a) the number of staff that may be appointed;

(b) the terms and conditions of service of the staff;

(c) any payments that may be made under sub-paragraphs (2) to (4).

Commencement Information

I73 Sch. 2 para. 9 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Delegation

10 A function of the Commissioner may be discharged on the Commissioner's behalf by any person including any member of the Commissioner's staff, but only to the extent authorised by the Commissioner.

Commencement Information

I74 Sch. 2 para. 10 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Deputy Commissioner

11 The functions of the Commissioner are exercisable by the Deputy Commissioner if—

(a) the office of Commissioner is vacant, or

(b) the Welsh Ministers are satisfied that for any reason the Commissioner is unable to exercise the functions of Commissioner.

Commencement Information

I75 Sch. 2 para. 11 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Complaints procedure

12 (1) The Commissioner must establish a procedure for the investigation of complaints about the exercise of the Commissioner's functions (“the complaints procedure”).

(2) The complaints procedure must include provision about—

(a) how a complaint may be made;

(b) the person to whom a complaint may be made;

(c) the period within which consideration of a complaint must begin and be concluded;

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(d) the action that the Commissioner must consider taking in response to a complaint.

(3) The Commissioner may amend the complaints procedure, but this is subject to the requirement to include provisions in accordance with sub-paragraph (2).

(4) The Commissioner must—

(a) make a copy of the complaints procedure available for inspection at the Commissioner's office, and

(b) ensure that copies of the complaints procedure are made available at such other places and by such other means as the Commissioner considers appropriate.

(5) The Commissioner must ensure that the arrangements for inspecting and gaining access to copies of the complaints procedure are published in such a way as to bring those arrangements to the attention of persons whom the Commissioner thinks likely to have an interest in the procedure.

Commencement Information

I76 Sch. 2 para. 12 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Register of interests

13 (1) The Commissioner must create and maintain a register containing all of the Commissioner's and the Deputy Commissioner's registrable interests.

(2) For the purposes of this paragraph and paragraphs 14 and 15—

(a) "registrable interests" means any interests specified as such by the Welsh Ministers in regulations (and this may include interests of persons with whom the Commissioner or Deputy Commissioner has a connection whether familial, financial or of any other kind);

(b) "interest" means an interest of any kind (including gifts, hospitality, donations received, other financial interests, and all activities and occupations).

(3) The Commissioner must keep the register of interests up to date.

Commencement Information

I77 Sch. 2 para. 13 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

14 (1) The Commissioner must—

(a) make a copy of the register of interests available for inspection at the Commissioner's office, and

(b) ensure that copies of the register are made available at such other places and by such other means as the Commissioner considers appropriate.

(2) The Commissioner must ensure that the arrangements for inspecting and gaining access to copies of the register of interests are published in such a way as to bring those arrangements to the attention of persons whom the Commissioner thinks likely to have an interest in the register.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I78 Sch. 2 para. 14 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Conflicts of interest

15 (1) The Commissioner must not exercise a function if the Commissioner has a registrable interest that relates to the exercise of the function.

(2) If that prevents the Commissioner from exercising a function, the Commissioner must delegate that function (so far as necessary to enable it to be exercised) to a member of the Commissioner's staff.

(3) This paragraph applies to the Deputy Commissioner exercising a function of the Commissioner under paragraph 11 as it applies to the Commissioner.

Commencement Information
I79 Sch. 2 para. 15 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Payments by the Welsh Ministers

16 The Welsh Ministers may pay the Commissioner such amounts, at such times and on such conditions (if any), as they think appropriate in respect of expenditure incurred in carrying out the functions of Commissioner.

Commencement Information
I80 Sch. 2 para. 16 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Annual reports

17 (1) The Commissioner must produce a report in relation to each financial year (an "annual report").

(2) The Commissioner's first financial year is the period beginning on the day the first appointment to the office of Commissioner is made under section 17 and ending on the following 31 March.

(3) An annual report must include—

(a) a summary of the action taken in that financial year in the exercise of the Commissioner's functions;

(b) an analysis of the effectiveness of that action in enabling the general duty of the Commissioner to be fulfilled (see section 18);

(c) a summary of the Commissioner's work programme for that financial year;

(d) the Commissioner's proposals for a work programme for the following financial year;

(e) a summary of the complaints made in accordance with the procedure established under paragraph 12.

(4) An annual report may include—

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(a) the Commissioner's assessment of the improvements that public bodies should make in order to meet their well-being objectives in accordance with the sustainable development principle;
(b) any other information the Commissioner considers appropriate.

(5) In preparing an annual report, the Commissioner must consult—
(a) the advisory panel, and
(b) any other person the Commissioner considers appropriate.

(6) The Commissioner must publish the annual report no later than 31 August in the following financial year.

(7) The Commissioner must send a copy of each annual report to the Welsh Ministers.

(8) The Welsh Ministers must lay a copy of each annual report sent to them before the National Assembly.

Commencement Information
I81 Sch. 2 para. 17 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Accounting officer

18 (1) The Commissioner is the accounting officer for the office of the Commissioner.

(2) The accounting officer has, in relation to the accounts and the finances of the Commissioner, the responsibilities that are from time to time specified by the Treasury.

(3) In this paragraph references to responsibilities include—
(a) responsibilities in relation to the signing of accounts;
(b) responsibilities for the propriety and regularity of the finances of the Commissioner;
(c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Commissioner are used.

(4) The responsibilities that may be specified under this paragraph include responsibilities owed to—
(a) the National Assembly, the Welsh Ministers or the Public Accounts Committee of the National Assembly;
(b) the House of Commons or the Committee of Public Accounts of that House.

(5) If requested to do so by the Committee of Public Accounts of the House of Commons ("the Commons Committee"), the Public Accounts Committee of the National Assembly may—
(a) take evidence on behalf of the Commons Committee from the accounting officer,
(b) report to the Commons Committee on the evidence taken, and
(c) transmit to the Commons Committee the evidence taken.

(6) Section 13 of the National Audit Act 1983 (c.44) (interpretation of references to the House of Commons Committee of Public Accounts) applies for the purposes of this paragraph as it applies for the purposes of that Act.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I82 Sch. 2 para. 18 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Estimates

19 (1) For each financial year other than the first, the Commissioner must prepare an estimate of the income and expenses of the Commissioner and the Commissioner's staff.

(2) The Commissioner must submit the estimate to the Welsh Ministers at least five months before the beginning of the financial year to which it relates.

(3) The Welsh Ministers must examine an estimate submitted to them in accordance with this paragraph and must then lay the estimate before the National Assembly with any modifications they think appropriate.

Modifications etc. (not altering text)
C2 Sch. 2 para. 19(2) modified (23.11.2015) by The Well-being of Future Generations (Wales) Act 2015 (Consequential Provisions) Regulations 2015 (No. 1924), regs. 1(2), **4**

Commencement Information
I83 Sch. 2 para. 19 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Accounts

20 (1) The Commissioner must—
(a) keep proper accounting records;
(b) prepare accounts in respect of each financial year in accordance with directions given, with the consent of the Treasury, by the Welsh Ministers.

(2) The directions that the Welsh Ministers may give under this paragraph include directions as to—
(a) the information to be contained in the accounts and the manner in which the accounts are to be presented;
(b) the methods and principles in accordance with which the accounts are to be prepared;
(c) any additional information that is to accompany the accounts.

(3) The Welsh Ministers may vary or revoke a direction they have given under this paragraph.

Commencement Information
I84 Sch. 2 para. 20 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Audit

21 (1) The Commissioner must submit the accounts prepared for a financial year to the Auditor General for Wales no later than 31 August in the following financial year.

(2) The Auditor General must—

(a) examine, certify and report on accounts submitted under this paragraph, and

(b) no later than four months after the accounts are submitted, lay a copy of the certified accounts and the report on them before the National Assembly.

(3) In examining accounts submitted under this paragraph, the Auditor General must not certify the accounts unless satisfied that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority that governs it.

Commencement Information

I85 Sch. 2 para. 21 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Examinations into the use of resources

22 (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which resources have been used in discharging the Commissioner's functions.

(2) But the Auditor General is not entitled to question the merits of the policy objectives of the Commissioner.

(3) Before carrying out an examination under this paragraph, the Auditor General must—

(a) consult the Public Accounts Committee of the National Assembly, and

(b) take into account the views of the Committee as to whether or not an examination should be carried out.

(4) The Auditor General must—

(a) as soon as is reasonably practicable, publish a report of the results of an examination carried out under this paragraph, and

(b) lay a copy of the report before the National Assembly.

Commencement Information

I86 Sch. 2 para. 22 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

Seal and validity of documents

23 (1) The Commissioner may have a seal.

(2) A document purporting to be—

(a) duly executed under the seal of the Commissioner, or

(b) signed by or on behalf of the Commissioner,

is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I87 Sch. 2 para. 23 in force at 16.10.2015 by S.I. 2015/1785, **art. 2(o)**

SCHEDULE 3

(as introduced by section 34)

PUBLIC SERVICES BOARDS: FURTHER PROVISION

Quorum

1 The quorum of a public services board meeting is all of its members.

Commencement Information
I88 Sch. 3 para. 1 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

First meeting

2 (1) A public services board must hold a meeting no later than 60 days after the date on which the board is established.

(2) The local authority must chair the first meeting of a board.

Commencement Information
I89 Sch. 3 para. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Mandatory meetings

3 (1) A public services board must hold a meeting no later than 60 days after the date of each ordinary election held under section 26 of the Local Government Act 1972 (c.70) (election of councillors).

(2) The local authority must chair a meeting held under sub-paragraph (1).

Commencement Information
I90 Sch. 3 para. 3 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Terms of reference

4 (1) At the first meeting, a public services board must agree its terms of reference.

(2) The terms of reference must include—

(a) the procedure to be followed at subsequent meetings insofar as not specified in this Act;

(b) the proposed schedule of subsequent meetings;

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(c) the procedure for inviting persons to participate under section 30 insofar as not specified in this Act;

(d) proposals relating to the manner in which the board intends to involve invited participants and its other partners;

(e) proposals for involving persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being (in addition to consulting such persons in accordance with sections 38(1)(k) and 43(1)(k));

(f) proposals for the establishment of one or more sub-groups including details of the functions to be exercised by any sub-group on behalf of the board (but see paragraph 6);

(g) the procedure for resolving a disagreement between members relating to the exercise of the board's functions;

(h) any other terms relating to the operation of the board that the members consider appropriate.

(3) A public services board—

(a) must review its terms of reference at each meeting held under paragraph 3(1), and

(b) may review them at any other meeting.

(4) Following a review, a public services board may amend its terms of reference.

Commencement Information

I91 Sch. 3 para. 4 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Administrative support

5 The local authority must make administrative support available to the public services board.

Commencement Information

I92 Sch. 3 para. 5 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Sub-groups and delegation

6 (1) A sub-group of a public services board—

(a) must include at least one member of the board, and

(b) may include any invited participant or other partner.

(2) A sub-group may exercise such of a board's functions as the board authorises in its terms of reference.

(3) But those terms of reference may not authorise a sub-group—

(a) to invite persons to participate under section 30;

(b) to set, review or revise the board's local objectives;

(c) to prepare or publish an assessment of well-being under section 37;

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(d) to consult under section 38 or to prepare a draft of an assessment under section 37 for the purposes of consulting;
(e) to prepare or publish a local well-being plan;
(f) to consult under section 43 or to prepare a draft of a local well-being plan for the purposes of consulting;
(g) to review or amend a local well-being plan or to publish an amended local well-being plan;
(h) to consult under section 44;
(i) to agree that the board—
(i) merges with another public services board under section 47(1), or
(ii) collaborates with another board under section 48(1).

Commencement Information
I93 Sch. 3 para. 6 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Representation at meetings

7 (1) Each member of a public services board must be represented at a meeting by—
(a) the individual specified in relation to that member in the following Table, or
(b) such other individual as the individual referred to in paragraph (a) designates (but an elected mayor or executive leader of a local authority may only designate another member of the authority's executive).

TABLE 2

Member	Representative
Local authority	The elected mayor of the authority or the councillor elected as executive leader of the authority, and the head of the authority's paid service designated under section 4 of the Local Government and Housing Act 1989 (c.42).
Local Health Board	Whichever of the following the board designates— (a) the chairman; (b) the chief officer; (c) both.
Welsh fire and rescue authority	Whichever of the following the authority designates— (a) the chairman; (b) the chief officer; (c) both.
The Natural Resources Body for Wales	The chief executive

(2) "Elected mayor" and "executive leader" each have the same meaning as in Part 2 of the Local Government Act 2000 (c.22).

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(3) An invited participant is to be represented at a meeting of a public services board by the individual designated by the participant.

(4) A public services board may invite any of its other partners to attend a meeting of the board (or any part of such meeting).

(5) Such other partner is to be represented at the meeting by the individual specified by the public services board in the invitation to the meeting.

Commencement Information
I94 Sch. 3 para. 7 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

SCHEDULE 4

(as introduced by section 46)

PUBLIC SERVICES BOARDS: CONSEQUENTIAL AMENDMENTS AND REPEALS

Education Act 1997 (c.44)

1 In section 38(2A)(b) of the Education Act 1997, for the words "sections 25 and 26" substitute " section 25 ".

Commencement Information
I95 Sch. 4 para. 1 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Government Act 2000 (c.22)

2 The Local Government Act 2000 is amended as follows.

Commencement Information
I96 Sch. 4 para. 2 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

3 In section 2 (promotion of well-being), in subsection (3B), for the words from "community strategy" to the end of the subsection substitute " local well-being plan for its area published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2). "

Commencement Information
I97 Sch. 4 para. 3 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

4 For subsection (3C) of that section substitute—

"(3C) The local well-being plan for the area of a community council is the plan referred to in subsection (3B) that is published by the public services board that includes as a member the county council or county borough council in

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Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

whose area lies the community or communities for which the community council is established.”.

Commencement Information
I98 Sch. 4 para. 4 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

5 In section 21 (overview and scrutiny committees), in subsection (4), at the end insert “ or Part 4 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) ”.

Commencement Information
I99 Sch. 4 para. 5 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

6 In section 21B of that Act (duty of authority to respond to overview and scrutiny committee), after subsection (1) insert—

“(1A) A report or recommendation to a public services board by virtue of section 35(1)(c) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) is not to be regarded for the purposes of this section as a report or recommendation to the local authority that is a member of the board.”.

Commencement Information
I100 Sch. 4 para. 6 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Education Act 2002 (c.32)

7 In section 21(9) of the Education Act 2002 (general responsibility for conduct of school: definition of “relevant children and young person's plan”), for paragraph (b) substitute—

“(b) in relation to a school in Wales, a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which the local authority is a member.”.

Commencement Information
I101 Sch. 4 para. 7 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Planning and Compulsory Purchase Act 2004 (c.5)

8 Section 62 of the Planning and Compulsory Purchase Act 2004 (local development plan) is amended as follows.

Commencement Information
I102 Sch. 4 para. 8 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

9 In subsection (5)(d), for “community strategy” substitute “ local well-being plan ”.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I103 Sch. 4 para. 9 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

10 For subsection (7) substitute—

"(7) A local well-being plan is relevant if it has been published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by—

(a) in the case of an authority which is a county council or county borough council, the public services board of which that authority is a member;

(b) in the case of an authority which is a National Park Authority, the public services board for an area that includes any part of that authority's area.".

Commencement Information
I104 Sch. 4 para. 10 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Children Act 2004 (c.31)

11 The Children Act 2004 is amended as follows.

Commencement Information
I105 Sch. 4 para. 11 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

12 In section 25 (co-operation to improve well-being: Wales), after subsection (9) insert—

"(9A) Information about the arrangements a local authority in Wales makes under this section may be included in the local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the local authority is a member.".

Commencement Information
I106 Sch. 4 para. 12 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

13 Section 26 (children and young people's plans: Wales) is repealed.

Commencement Information
I107 Sch. 4 para. 13 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

14 In section 27—

(a) in subsection (1)(a), for the words "sections 25 and 26" substitute " section 25 ";

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(b) in subsection (1)(b), for "those sections" substitute " that section ";

(c) the section heading becomes " Responsibility for functions under section 25 ".

Commencement Information
I108 Sch. 4 para. 14 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

15 In section 30(2)(a) (inspection of functions under Part 3), the words "or 26" are repealed.

Commencement Information
I109 Sch. 4 para. 15 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

16 In section 50A(2)(c) (intervention - Wales), the words ", 26" are repealed.

Commencement Information
I110 Sch. 4 para. 16 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

17 Section 66(7) (procedure for regulations under section 26) is repealed.

Commencement Information
I111 Sch. 4 para. 17 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Government of Wales Act 2006 (c.32)

18 In paragraph 35(4) of Schedule 11 to the Government of Wales Act 2006 (procedures relating to certain pre-commencement powers to make subordinate legislation), in Table 2 the entries relating to sections 26(2)(f) and (4) of the Children Act 2004 are repealed.

Commencement Information
I112 Sch. 4 para. 18 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

National Health Service (Wales) Act 2006 (c.42)

19 Section 40 of the National Health Service (Wales) Act 2006 (health and well-being strategies in Wales) is repealed.

Commencement Information
I113 Sch. 4 para. 19 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Status: *Point in time view as at 21/05/2016.*
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Local Government (Wales) Measure 2009 (nawm 2)

20 The Local Government (Wales) Measure 2009 is amended as follows.

Commencement Information
I114 Sch. 4 para. 20 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

21 Part 2 (Community strategies and planning) is repealed.

Commencement Information
I115 Sch. 4 para. 21 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

22 Sections 48(2)(b), 50(5)(c) and 51(3) are repealed.

Commencement Information
I116 Sch. 4 para. 22 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

23 Schedule 3 is repealed.

Commencement Information
I117 Sch. 4 para. 23 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Children and Families (Wales) Measure 2010 (nawm 1)

24 The Children and Families (Wales) Measure 2010 is amended as follows.

Commencement Information
I118 Sch. 4 para. 24 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

25 In section 2(8), the words “and section 26 of the Children Act 2004 (c. 31)” are repealed.

Commencement Information
I119 Sch. 4 para. 25 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

26 In section 4 (strategies prepared by local authorities)—

(a) in subsection (1), for the words “by the authority of a plan under section 26 of the Children Act 2004 (c. 31)” substitute “ of a local well-being plan under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the authority is a member, but only if the authority's strategy is an integral part of that plan ”; and

(b) subsections (2) and (3) are repealed.

Status: *Point in time view as at 21/05/2016.*
Changes to legislation: *Well-being of Future Generations (Wales) Act 2015 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information
I120 Sch. 4 para. 26 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

27 In section 5 (strategies prepared by other Welsh authorities)—

(a) subsection (4) is repealed; and

(b) in subsection (5), for the words from "plan" to the end of the subsection substitute " local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by each public services board for a local authority area in which the Welsh authority exercises functions. ".

Commencement Information
I121 Sch. 4 para. 27 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Mental Health (Wales) Measure 2010 (nawm 7)

28 The Mental Health (Wales) Measure 2010 is amended as follows.

Commencement Information
I122 Sch. 4 para. 28 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

29 In section 2 (joint schemes for the provision of local primary mental health support services), after subsection (2) insert—

"(2A) A scheme may be recorded by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which each of the partners is a member.".

Commencement Information
I123 Sch. 4 para. 29 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

30 Section 11 (amendment of the Children Act 2004) is repealed.

Commencement Information
I124 Sch. 4 para. 30 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Local Government (Wales) Measure 2011 (nawm 4)

31 Section 128 of the Local Government Wales Measure 2011 (transitional provision relating to community councils' powers to promote well-being) is repealed.

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Commencement Information
I125 Sch. 4 para. 31 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Public Audit (Wales) Act 2013 (anaw 3)

32 In section 23 of the Public Audit (Wales) Act 2013 (general provision about fees), after subsection (3)(c) insert—

"(ca) an examination under section 15 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) (examinations of public bodies for the purposes of assessing the extent to which a body has acted in accordance with the sustainable development principle);".

Commencement Information
I126 Sch. 4 para. 32 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Social Services and Well-being (Wales) Act 2014 (anaw 4)

33 In section 14 of the Social Services and Well-being (Wales) Act 2014 (assessment of needs for care and support, support for carers and preventative services) subsections (3) and (4) are repealed.

Commencement Information
I127 Sch. 4 para. 33 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

34 After that section insert—

"**14A Plans following assessments of needs under section 14**

(1) In this section, "relevant body" means a local authority or Local Health Board which has carried out a joint assessment under section 14(1).

(2) Each relevant body must prepare and publish a plan setting out—

(a) the range and level of services the body proposes to provide, or arrange to be provided, in response to the assessment of needs under paragraphs (a) to (c) of section 14(1);

(b) in the case of a local authority, the range and level of services the authority proposes to provide, or arrange to be provided, in seeking to achieve the purposes in section 15(2) (preventative services);

(c) in the case of a Local Health Board, anything the Board proposes to do in connection with its duty under section 15(5) (Local Health Boards to have regard to the importance of preventative action when exercising functions);

(d) how the services set out in the plan are to be provided, including the actions the body proposes to take to provide, or arrange to provide, the services through the medium of Welsh;

(e) any other action the body proposes to take in response to the assessment under section 14(1);

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(f) the details of anything the body proposes to do in response to the assessment jointly with another relevant body;

(g) the resources to be deployed in doing the things set out in the plan.

(3) A relevant body's plan may be published by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (the "2015 Act") by a public services board of which the body is a member.

(4) A local authority and a Local Health Board who have carried out a joint assessment together under section 14(1) may jointly prepare and publish a plan under subsection (2).

(5) Two or more local authorities may jointly prepare and publish a plan under subsection (2); but such a joint plan may be published by including it within a local well-being plan only if each local authority is a member of the public services board (see sections 47 and 49 of the 2015 Act (merging of public services boards)).

(6) A relevant body must submit to the Welsh Ministers—

(a) any part of a plan it has prepared under subsection (2) which relates to the health and well-being of carers;

(b) any other part of such a plan as may be specified by regulations.

(7) Regulations may make provision about plans prepared and published under subsection (2), including provision—

(a) specifying when a plan is to be published;

(b) about reviewing a plan;

(c) about consulting persons when preparing or reviewing a plan;

(d) about the monitoring and evaluation of services and other action set out in a plan.".

Commencement Information

I128 Sch. 4 para. 34 in force at 6.4.2016 by S.I. 2016/86, **art. 4**

Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (anaw x)

35 In section 5 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (publication and review of local strategies), after subsection (5) insert—

"(5A) A local strategy or revised strategy may be published by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which both the local authority and the Local Health Board is a member.".

Commencement Information

I129 Sch. 4 para. 35 in force at 1.4.2016 by S.I. 2016/86, **art. 3**

Status:
Point in time view as at 21/05/2016.

Changes to legislation:
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