



Local Government (Wales) Act 2015

2015 anaw 6

Remuneration etc. arrangements for new principal local authorities

25 Directions to Independent Remuneration Panel for Wales to perform relevant functions

- (1) The Welsh Ministers may direct the Independent Remuneration Panel for Wales (“the Panel”) that it must perform the relevant functions—
 - (a) in relation to a shadow authority, and
 - (b) in relation to a principal local authority for the first financial year in which it will be a principal local authority by virtue of merger regulations or provisions of an Act of the National Assembly for Wales.
- (2) The relevant functions are the functions under—
 - (a) section 142 (powers and duties relating to payments to members), and
 - (b) section 143 (functions relating to members' pensions),of the Local Government (Wales) Measure 2011.
- (3) Accordingly Part 8 of that Measure applies in the case of a shadow authority in relation to which a direction has been given under subsection (1)(a) (for so long as the direction has effect) as if it were a relevant authority within the meaning of that Part of that Measure; but in its application by virtue of this subsection Part 8 has effect subject to—
 - (a) the modifications in subsection (4), and
 - (b) section 26.
- (4) The modifications are that—
 - (a) in section 142(8) (account to be taken of financial impact on relevant authorities) the reference to “relevant authorities” is to include shadow authorities, and
 - (b) the power for an annual report to impose requirements under section 150(1) (avoidance of duplication of payments etc.) is to be a duty for an annual report or supplementary report to impose those requirements.

Status: Point in time view as at 25/01/2016.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 2015. Cross Heading: Remuneration etc. arrangements for new principal local authorities. (See end of Document for details)

- (5) In exercising functions by virtue of this section in relation to the first financial year in which an authority is a principal local authority by virtue of merger regulations, the Panel may—
- (a) make different decisions under section 142(1),
 - (b) set different amounts under section 142(3),
 - (c) make different determinations under section 142(4),
 - (d) set different percentages or other rates or indices under section 142(6), and
 - (e) make different decisions under section 143(2) and (3),
- in relation to times before and after the principal local authority will consist of councillors elected at the first ordinary election of councillors.

26 Reports of Panel

- (1) The Panel must include in the first report under Part 8 of the Local Government (Wales) Measure 2011 that relates to an authority specified in a direction under section 25(1) the information relating to the authority which is specified in section 146(3) of that Measure.
- (2) The matters required to be included in a report of the Panel in relation to a shadow authority may be included in an annual report or a supplementary report.
- (3) If the first report that relates to a shadow authority is a supplementary report, it must be published at least 6 weeks before the shadow authority is established or elected.
- (4) The matters required to be included in a report of the Panel in relation to the first financial year in which an authority will be a principal local authority must be included in the annual report of the Panel for that financial year.
- (5) But, if the Panel considers it appropriate to do so, it may, at any time before the date on which an authority which is a principal local authority by virtue of merger regulations first consists of councillors elected to the new principal authority, publish a supplementary report in relation to so much of that first financial year as falls on or after that date.

27 Directions and guidance to Panel

- (1) A direction under section 25 may at any time be varied or revoked by a subsequent direction.
- (2) The Panel must comply with a direction given to it under section 25.
- (3) The Welsh Ministers may issue guidance about the exercise by the Panel of its functions in accordance with sections 25 and 26; and the Panel must, when so exercising its functions, have regard to any guidance issued under this subsection.

28 Pay policy statements

- (1) A transition committee established by merging authorities must publish recommendations as to the pay policy statements to be prepared by the shadow authority for the principal area into which their principal areas are to be merged.

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- (2) The recommendations must be published no later than 42 days before the date on which the shadow authority is established or on which elections to the shadow authority take place.
- (3) A shadow authority must prepare and approve (and may amend) a pay policy statement in accordance with sections 38(2) to (5) and 39(1), (4) and (5) of the Localism Act 2011—
 - (a) for the period beginning with the approval of the pay policy statement and ending immediately before the transfer date, and
 - (b) for the first financial year in which there will be a principal local authority for the new principal area.
- (4) No chief officer (within the meaning of section 43(2) of the Localism Act 2011) may be appointed or designated by the shadow authority until the pay policy statement under subsection (3)(a) has been prepared and approved.
- (5) Sections 38(2) to (5) and 39(1), (4) and (5), 41(1) and (2) and 42(1) and (2) of the Localism Act 2011 apply accordingly but as if the shadow authority were a relevant authority and the period mentioned in subsection (3)(a) were a financial year.
- (6) The Welsh Ministers may issue guidance about the performance of duties imposed by this section and transition committees and shadow authorities must, when performing duties imposed by this section, have regard to any such guidance issued.

Status:

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