

# LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 10: General**

##### ***Section 171 – Interpretation***

739. **Section 171** defines a number of words and terms used throughout the Act.
740. It also makes provision relating to every duty under the Act (but not a duty imposed by amending another enactment) to publish something. Subsection (2) requires the person subject to the duty to publish the document electronically (which means on that person's website, if they have one), and in such other manner as the person thinks appropriate.

##### ***Section 172 – Directions***

741. **Section 172** makes provision applying to all directions given under the Act (requiring that they be given in writing, and that they be complied with by the person to whom they are given).

##### ***Section 173 – Power to make consequential and transitional provision etc.***

742. **Section 173** provides the Welsh Ministers with a power to make regulations containing supplementary etc. provisions to give full effect to any provision of the Act. The regulations made may amend, modify, repeal or revoke any enactment (but where they do, they are subject to the affirmative procedure in the Senedd; see section 174(5)(t)).

##### ***Section 174 – Regulations under this Act***

743. **Section 174** makes general provision about how the various regulations that may be made under the Act are to be made. This includes provision about the procedures of the Senedd that apply in relation to the regulations, and the ancillary provision (that is, supplemental, incidental, consequential, transitional, transitory or saving provision) that may be made in regulations.

##### ***Section 175 – Coming into force***

744. **Section 175** sets out when the provisions of this Act comes into force and, where the provisions come into force by order, sets out what provision the order may contain. This provision deals with a range of different approaches to commencement.
745. Various regulation making powers come into force the day after the Act receives Royal Assent, including the powers to establish corporate joint committees under Part 5, and to provide for voluntary mergers of principal areas under Part 7 (the power to provide for restructuring of principal areas under that Part will be commenced by order, and subsection (2) of section 175 makes provision for this).

*These notes refer to the Local Government and Elections (Wales)  
Act 2021 (c.1) which received Royal Assent on 20 January 2021*

746. The partial commencement of section 159 relates to the commencement of Part 5 and the fact that Part 6 (performance management) will be commenced by order. The provisions commenced in section 166 on the day after Royal Assent are connected with the coming into force of the provisions on voluntary mergers.
747. Other provisions come into force on specified dates, which coincide with the start of the local government financial year (see subsection (4)), or are intended to fall on the day of the next ordinary elections to principal councils (on 5 May 2022; see subsection (5)), or the day after that day (see subsection (6)).

***Section 176 – Short Title***

748. [Section 176](#) provides that the short title of the Act is the Local Government and Elections (Wales) Act 2021.