

# LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: General Power Of Competence**

##### *Chapter 1: The General Power*

##### *Section 29 and Part 1 of Schedule 3 – Amendments relating to Chapter 1 of Part 2: the general power*

186. [Schedule 3](#) provides for consequential amendments in relation to the general power of competence (also see the notes in respect of section 37).
187. The Schedule is divided into two parts to accommodate a phased commencement of the general power of competence. This phased commencement recognises the need to make regulations specifying a qualified clerk and also to prepare and issue guidance under Chapter 2.
188. [Part 1](#) makes provision related to the creation of the general power in its application to principal councils whilst Part 2 makes provision in relation to the application of the general power to eligible community councils.
189. [Part 1](#) of Schedule 3 makes amendments to this Act and other legislation relating to this Chapter, including removing the well-being power for principal councils.
190. Generally speaking, the amendments in this Part of the Schedule relate to the creation of the general power of competence for:
  - all qualifying local authorities, or
  - in its application to principal councils