

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Promoting Access to Local Government

Chapter 3: Constitution Guides

Section 45 – Principal councils’ duty to publish constitution and constitution guide

233. [Section 45](#) of the Act amends section 37 of the 2000 Act (local authority constitution).
234. Section 37 of the 2000 Act places a duty on principal councils to prepare and keep up to date a document (referred to in that section as their constitution) which contains copies of the council’s standing orders and code of conduct, any information which the Welsh Ministers may direct them to keep and any other information which the authority considers appropriate.
235. [Section 45](#) of the Act places a further duty on principal councils to prepare, and keep up to date, a constitution guide which explains the content of their constitution in ordinary language.
236. Before amendment, section 37 of the 2000 Act places a duty on principal councils to ensure copies of their constitution are available at their principal office for inspection by members of the public at all reasonable hours. A council must supply a copy of their constitution to anyone who requests a copy, in exchange for a reasonable fee determined by the authority.
237. [Section 45](#) amends section 37 of the 2000 Act so as to require principal councils to ensure copies of their constitution and constitution guide are published electronically and made available at their principal office for inspection by members of the public at all reasonable hours. A council must supply a copy of their constitution and constitution guide to anyone who requests a copy either free of charge or at a charge representing no more than the cost of providing the copy.