

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

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Local Authority Executives, Members, Officers And Committees

Section 59 – Content of, and duty to have regard to, guidance under section 38 of the 2000 Act

326. Part 2 of the 2000 Act makes provision in respect of principal council’s executives and executive arrangements. Section 38 of that Part requires a principal council to have regard to any guidance issued by the Welsh Ministers for the purposes of that Part.
327. This section inserts a new subsection (1A) into section 38 to clarify that guidance issued under this section may include provision designed to encourage good practise in relation to equality and diversity.
328. The meaning of equality and diversity is taken from section 8(2) of the Equality Act 2006; “diversity” means the fact that individual are different, and “equality” means equality between individuals.
329. **Section 59** also amends 38(1) of the 2000 Act to extend the duty to have regard to guidance to elected mayors and executive leaders of principal councils.