



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 4 **E+W**

LOCAL AUTHORITY EXECUTIVES, MEMBERS, OFFICERS AND COMMITTEES

Executives of principal councils

57 **Appointment of assistants to executive** **E+W**

- (1) Schedule 1 to the 2000 Act (executive arrangements in Wales: further provision) is amended as follows.
- (2) Before paragraph 4 insert—

3A “**Assistants to the executive**

- (1) Executive arrangements by a local authority may make provision for councillors of the authority to be appointed to assist the executive in discharging functions which are the responsibility of the executive.
- (2) Such a councillor is referred to in this Schedule as an assistant to the executive of the authority.
- (3) Assistants to the executive of an authority are to be appointed—
 - (a) in the case of an authority operating a mayor and cabinet executive, by the elected mayor;
 - (b) in the case of an authority operating a leader and cabinet executive (Wales), by the executive leader or the authority.
- (4) Executive arrangements which make provision for the appointment of assistants to an executive may include provision about—
 - (a) the number of assistants that may be appointed,

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Cross Heading: Executives of principal councils. (See end of Document for details)

- (b) their term of office, and
 - (c) their responsibilities.
- (5) The assistants to the executive of a local authority may not include—
- (a) the chairman and vice-chairman of the authority;
 - (b) the presiding member and deputy presiding member of the authority (if the authority has a presiding member).
- (6) An assistant to the executive of an authority is not a member of the executive of the authority.
- (7) Section 101 of the Local Government Act 1972 (arrangements for discharge of functions by local authorities) does not apply to a local authority's function of making appointments under sub-paragraph (3)(b).”
- (3) In paragraph 5—
- (a) at the beginning insert—
 - “(1) An assistant to the executive of a local authority is entitled to attend, and speak at, any meeting of the executive or of a committee of the executive.
 - (2)”;
 - (b) for “not a member of the authority's executive” substitute “neither a member of the authority's executive nor an assistant to the executive”.
- (4) Schedule 6 to this Act makes consequential amendments.

Commencement Information

I1 S. 57 in force at 5.5.2022 by S.I. 2021/231, art. 6(j)

58 Job-sharing: executive leaders and executive members E+W

Schedule 7 provides for amendments to the 2000 Act to make provision—

- (a) requiring local authorities to include in their executive arrangements provision enabling two or more councillors to share office on an executive, including the office of executive leader,
- (b) changing the maximum number of members of an executive when members of the executive share office, and
- (c) about voting and quorum where members of an executive share office.

Commencement Information

I2 S. 58 in force at 5.5.2022 by S.I. 2021/231, art. 6(k)

59 Content of, and duty to have regard to, guidance under section 38 of the 2000 Act E+W

- (1) Section 38 of the 2000 Act (guidance) is amended as follows.

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(2) In subsection (1), after “local authority” insert “, an elected mayor or an executive leader”.

(3) After subsection (1) insert—

“(1A) The guidance may, among other things, include provision designed to encourage good practice in relation to equality and diversity (within the meaning of section 8(2) of the Equality Act 2006).”

Commencement Information

I3 S. 59 in force at 4.3.2021 by [S.I. 2021/231](#), [art. 2\(g\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Cross Heading: Executives of principal councils.