
Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Paragraph 10. (See end of Document for details)

SCHEDULE 4

NOTICE OF LOCAL AUTHORITY MEETINGS, ACCESS TO DOCUMENTS AND ATTENDANCE AT MEETINGS

PART 1

NOTICE OF LOCAL AUTHORITY MEETINGS AND ACCESS TO DOCUMENTS

Copies and publication of documents relating to meetings of local authorities

- 10 (1) Section 100H of the 1972 Act (supplemental provision about access to meetings and documents) is amended as follows.
- (2) In subsection (2), at the beginning insert “ In relation to a principal council in England, ”.
- (3) After subsection (2) insert—
- “(2A) In relation to a principal council in Wales, where a document is open to inspection by a person under any provision of this Part the person may, subject to subsection (3) below—
- (a) make copies of the document or parts of the document, or
 - (b) require the person having custody of the document to provide a copy of the document or of parts of the document,
- upon payment of such reasonable fee as may be required for the facility.”
- (4) In subsection (3)—
- (a) for “Subsection (2) above does” substitute “ Subsections (2), (2A) and (6A) do ”;
 - (b) for “that subsection” substitute “ those subsections ”.
- (5) After subsection (3) insert—
- “(3A) Provisions in this Part which require the publication of documents by a principal council in Wales do not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the council, nothing done in pursuance of those provisions constitutes an infringement of the copyright.”
- (6) In subsection (5)—
- (a) omit the “or” after paragraph (a);
 - (b) after paragraph (a), insert—
 - “(aa) is published electronically by a principal council in Wales, or”;
 - (c) in paragraph (b), after “100B(7)” insert “ or 100BA(9) ”.
- (7) In subsection (6)—
- (a) in paragraph (b), after “100B(7)(b)” insert “ or 100BA(9)(b) ”;
 - (b) in paragraph (c), after “100B(7)(c)” insert “ or 100BA(9)(c) ”;
 - (c) after paragraph (e), insert—

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“(f) the note required to be published by a principal council in Wales under section 100C(1C).”

(8) After subsection (6) insert—

“(6A) A principal council in Wales must put in place facilities for members of the public who would otherwise not be able to do so, to access—

- (a) notices or other documents required to be published electronically under sections 100A(6)(aa), 100BA(1), 100C(1A) and (1C) and 100D(1)(c), and
- (b) documents required to remain accessible electronically under sections 100C(1A) and 100D(2A)(a).”

(9) After subsection (7) insert—

“(8) A principal council in Wales must have regard to any guidance issued by the Welsh Ministers about the exercise of its functions relating to the publication, provision and inspection of documents under this Part.”

Commencement Information

II Sch. 4 para. 10 in force at 1.5.2021 by [S.I. 2021/354](#), **art. 2(c)** (with **art. 3**)

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