



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 6

PERFORMANCE AND GOVERNANCE OF PRINCIPAL COUNCILS

CHAPTER 1

PERFORMANCE, PERFORMANCE ASSESSMENTS AND INTERVENTION

Supplementary

108 Exercise of functions under this Chapter

- (1) A function conferred on a principal council under or by virtue of this Chapter (other than functions expressly conferred on a governance and audit committee) may be exercised by the council or by its executive, as the council may determine.
- (2) If a principal council determines that a function mentioned in subsection (4) is to be exercised by the council, section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) does not apply to that function.
- (3) If a principal council determines that a function mentioned in subsection (4) is to be exercised by the executive, section 14 or (as the case may be) 15 of the 2000 Act (discharge of functions by executives) does not apply in relation to that function.
- (4) The functions are—
 - (a) section 91(1) (self-assessment report);
 - (b) section 91(8) (response to recommendations about report);
 - (c) section 92(1) (appointment of performance assessment panel);
 - (d) section 93(1) (response to report of panel performance assessment);

Status: *This is the original version (as it was originally enacted).*

- (e) section 93(5) (response to recommendations about response to report of panel);
- (f) section 96(1) (response to recommendations from the Auditor General for Wales);
- (g) section 96(5) (response to recommendations about response to the Auditor General for Wales);
- (h) section 102(2) (request to the Welsh Ministers for support and assistance).