



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 7

### MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS

#### CHAPTER 4

##### REMUNERATION ARRANGEMENTS FOR NEW PRINCIPAL COUNCILS

#### **142 Directions to Independent Remuneration Panel for Wales**

- (1) The Welsh Ministers may direct the Independent Remuneration Panel for Wales (“the Panel”) that it must perform its payment and pension functions in relation to—
  - (a) the shadow council for a new principal area established under merger regulations or restructuring regulations, and
  - (b) the principal council for that area, for the financial year in which the transfer date falls.
- (2) For the purposes of subsection (1), the Panel’s payment and pension functions are the functions under the following sections in Part 8 of the 2011 Measure—
  - (a) section 142 (payments to members), and
  - (b) section 143 (members’ pensions).
- (3) Accordingly Part 8 of the 2011 Measure applies in the case of a council to which a direction under subsection (1) relates; but in its application by virtue of this subsection Part 8 is subject to—
  - (a) subsection (4), and
  - (b) section 143.
- (4) Where Part 8 of the 2011 Measure applies by virtue of subsection (3)—
  - (a) the shadow council is a relevant authority for the purposes of that Part,

- (b) the Panel may exercise its functions under Part 8 of the 2011 Measure in relation to the principal council for the new principal area before the council has been established (including by way of imposing a requirement to which the council will be subject once it is established); accordingly, for those purposes that Part is to be read as if the council is, before it is established, a relevant authority,
  - (c) where the transfer date does not fall on 1 April, the references in section 142 to a financial year include a reference to part of the financial year in which the transfer date falls,
  - (d) section 143A (functions of the Independent Remuneration Panel for Wales in respect of remuneration of chief executives) does not apply by virtue of subsection (3) (but see section 145(6) in this Chapter, which applies section 143A in any event), and
  - (e) section 146 (first annual report of Panel) does not apply (but see section 143(9) in this Chapter).
- (5) In exercising functions by virtue of this section in relation to a principal council for an area which has or had a designated shadow council, the Panel may, in relation to times before and after the council will consist of councillors elected at the first ordinary election—
- (a) make different decisions under section 142(1) of the 2011 Measure;
  - (b) set different amounts under subsection (3) of that section;
  - (c) make different determinations under subsection (4) of that section;
  - (d) set different percentages or other rates or indices under subsection (6) of that section;
  - (e) make different decisions under section 143(2) and (3) of the 2011 Measure.