



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

145 Pay policy statements

- (1) A transition committee must publish recommendations as to the pay policy statement to be prepared by the shadow council for the new principal area.
- (2) The recommendations must be published no later than six weeks before—
 - (a) where the shadow council is an elected shadow council, the date on which elections to the shadow council are to take place, or
 - (b) where the shadow council is a designated shadow council, the date on which the shadow council is to be established.
- (3) A shadow council must prepare and approve (and may amend) a pay policy statement in accordance with sections 38(2) to (5) and 39(1), (4) and (5) of the Localism Act 2011 (c. 20)—
 - (a) for the period beginning with the approval of the pay policy statement and ending immediately before the transfer date, and
 - (b) for the first financial year in which there will be a principal council for the new principal area.
- (4) Accordingly, sections 38(2) to (5) and 39(1), (4) and (5), 41(1) and (2) and 42(1) and (2) of the Localism Act 2011 apply; and where those provisions apply by virtue of this subsection—

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Section 145. (See end of Document for details)

- (a) the shadow council is, for the purposes of those provisions, a relevant authority within the meaning of Chapter 8 of Part 1 of that Act,
 - (b) the period mentioned in subsection (3)(a) is to be treated for the purposes of those provisions as a financial year, and
 - (c) section 39(5) of that Act is to be read as if for “on the authority's website” there were substituted “ on a website ”.
- (5) No chief officer (within the meaning of section 43(2) of the Localism Act 2011) may be appointed or designated by the shadow council until the pay policy statement under subsection (3) has been prepared and approved.
- (6) Section 143A of the 2011 Measure (functions of the Independent Remuneration Panel for Wales in respect of remuneration of chief executives) applies in relation to a shadow council, subject to paragraph 1(7) of Schedule 12; and accordingly a shadow council is a qualifying relevant authority for the purposes of that section.
- (7) In this section, “transition committee” means a transition committee established under Schedule 11—
- (a) in relation to merger regulations, or
 - (b) in relation to restructuring regulations which make provision for there to be a shadow council.

Commencement Information

- I1** S. 145(1)-(7)(a) in force at 21.1.2021 for, see s. 175(1)(f)
- I2** S. 145(7)(b) in force at 1.4.2021 by S.I. 2021/297, art. 2(d)

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