



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 2

### GENERAL POWER OF COMPETENCE

#### CHAPTER 1

##### THE GENERAL POWER

#### **27 Limits on doing things for commercial purpose in exercise of general power**

- (1) The general power confers power on a qualifying local authority to do things for a commercial purpose only if they are things that the authority may, in exercise of the general power, do otherwise than for a commercial purpose.
- (2) Where, in exercise of the general power, a qualifying local authority does things for a commercial purpose, the authority must do them through a company.
- (3) A qualifying local authority may not, in exercise of the general power, do things for a commercial purpose in relation to a person if any enactment requires the authority to do those things in relation to the person.
- (4) In this section, “company” means—
  - (a) a company within the meaning of section 1(1) of the Companies Act 2006 (c. 46), or
  - (b) a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 (c. 14) or the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969 (c. 24 (NI)).
- (5) A qualifying local authority must have regard to any guidance issued by the Welsh Ministers about doing things, in the exercise of the general power, for a commercial purpose.

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**Changes to legislation:** There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Section 27. (See end of Document for details)

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#### Commencement Information

**II** [S. 27](#) in force at 1.11.2021 by [S.I. 2021/231](#), [art. 4\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Section 27.