



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.