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**Changes to legislation:** Public Audit (Wales) Act 2013, Cross Heading: Local Government (Wales) Measure 2009 is up to date with all changes known to be in force on or before 07 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULE 4

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Local Government (Wales) Measure 2009*

83 The Local Government (Wales) Measure 2009 is amended as follows.

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**Commencement Information**

**I1** Sch. 4 para. 83 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

- 84 (1) Section 21 (special inspections) is amended as follows.
- (2) In subsection (4)—
- (a) for “direct the Auditor General to” substitute “ request that the Auditor General ”, and
- (b) for “direction” substitute “ request, unless it is not reasonable to do so ”.
- (3) In subsection (5), for “direction” substitute “ request ”.
- (4) In subsection (6), for “giving a direction” substitute “ making a request ”.
- (5) In paragraph (b) of subsection (7), for “directed the Auditor General to” substitute “ requested that the Auditor General ”.

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**Commencement Information**

**I2** Sch. 4 para. 84 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

85 In section 25 (statement of practice), omit paragraph (b) of subsection (5).

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**Commencement Information**

**I3** Sch. 4 para. 85 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

86 In section 26 (inspectors' powers and duties), in subsection (11), for “a member of the Auditor General's staff or a person providing services to the Auditor General” substitute “ or a person exercising the functions of the Auditor General for Wales by virtue of a delegation made under section 18 of the Public Audit (Wales) Act 2013, ”.

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**Commencement Information**

**I4** Sch. 4 para. 86 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

- 87 (1) Section 27 (fees) is amended as follows.
- (2) In subsection (1), for “The Auditor General for Wales” substitute “ The Wales Audit Office ”.

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- (3) In subsection (3), for “the Auditor General for Wales” substitute “ the Wales Audit Office, in accordance with a scheme for charging fees prepared under section 24 of the Public Audit (Wales) Act 2013, ”.
- (4) In subsection (4), for the reference to “the Auditor General” and “the Auditor General for Wales” substitute “ the Wales Audit Office ”.
- (5) After subsection (4) insert—
  - “(4A) But a fee charged under this section may not exceed the full cost of exercising the function to which it relates.”.
- (6) In subsection (5), for both references to “the Auditor General” substitute “ the Wales Audit Office ”.
- (7) Omit subsection (6).

**Commencement Information**

**I5** Sch. 4 para. 87 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

88 After section 27 (fees) insert—

**“27A Welsh Ministers' power to prescribe a scale of fees**

- (1) The Welsh Ministers may, by regulations, prescribe a scale or scales of fees to have effect instead of a scale or scales prescribed by the Wales Audit Office under section 27(1),
- (2) A scale of fees prescribed under subsection (1) has effect for the period specified in relation to it in the regulations.
- (3) Subsection (4) applies if—
  - (a) a scale of fees is prescribed under subsection (1) in place of a scale prescribed by the Wales Audit Office, and
  - (b) the scale prescribed by the Wales Audit Office would otherwise be the appropriate scale for the purposes of section 27(3) and (4).
- (4) The references to the appropriate scale in section 27(3) and (4) are to be read as references to the scale prescribed under subsection (1).
- (5) Before making regulations under subsection (1) the Welsh Ministers must consult—
  - (a) the Wales Audit Office,
  - (b) any associations of local government bodies in Wales which appear to the Welsh Ministers to be concerned, and
  - (c) such other persons as they think fit.
- (6) Regulations made under this section are subject to annulment in pursuance of a resolution of the National Assembly for Wales.”.

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**Commencement Information**

**I6** Sch. 4 para. 88 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Sch. 4 para. 83-88 and cross-heading omitted by [2021 asc 1 s. 170\(2\)\(b\)\(ii\)](#)