

# **LOCAL GOVERNMENT (WALES) MEASURE 2011**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 155 – Withholding payments***

176. Requires an authority to withhold payments to persons who have been suspended from being a councillor (or partially suspended) by virtue of Part 3 of the Local Government Act 2000 as a result of an adjudication by a local standards committee or by a case tribunal or interim case tribunal on whether the councillor had complied with the local authority's code of conduct.
177. Subsection (2) also empowers the Welsh Ministers to issue directions, following consultation with the IRP, to an authority requiring it to withhold payments as determined by the Welsh Ministers, to a member of an authority for reasons specified in the direction. The Welsh Ministers may apply to the Court for an order enforcing the direction.
178. Subsection (5) permits local authorities to recover payments made in error to members of their authority who had been suspended or partially suspended by virtue of part 3 of the Local Government Act 2000, were the subject of a direction from the Welsh Ministers or had ceased to be a member of the authority.