



# Local Government (Wales) Measure 2011

2011 nawm 4

## PART 8

### <sup>F1</sup>...PAYMENTS AND PENSIONS

#### *Payments by relevant authorities*

#### **155 Withholding payments**

- (1) A relevant authority must not make payments in respect of relevant matters or a relevant pension to a person who is suspended or partially suspended from being a member of the authority by virtue of Part 3 of the Local Government Act 2000 (conduct of local government members etc.).
- (2) The Welsh Ministers may, in such other cases as they consider appropriate, direct a relevant authority not to make payments (including in respect of pensions) in respect of such relevant matters as are specified in the direction.
- (3) Before giving a direction under subsection (2), the Welsh Ministers must consult the Panel.
- (4) A direction under subsection (2) is enforceable by mandatory order on the application of the Welsh Ministers.
- (5) A relevant authority may require the repayment of payments made in respect of relevant matters or a relevant pension to a person in respect of a period during which that person was not entitled to receive the payment for any reason, including (but not limited to) any of the following reasons—
  - (a) the payments were made in breach of the prohibition in subsection (1);
  - (b) the payments were made in breach of a direction under subsection (2);
  - (c) the person had ceased to be a member of the authority.

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**Changes to legislation:** Local Government (Wales) Measure 2011, Section 155 is up to date with all changes known to be in force on or before 10 July 2021. 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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#### Commencement Information

- I1** S. 155(1) in force at 30.4.2012 by [S.I. 2012/1187](#), **art. 2(1)(n)**
- I2** S. 155(2)(3)(4) in force for specified purposes at 31.8.2011 by [S.I. 2011/2011](#), **art. 2(n)**
- I3** S. 155(2)(3)(4) in force at 30.4.2012 in so far as not already in force by [S.I. 2012/1187](#), **art. 2(2)(i)**
- I4** S. 155(5) in force at 28.2.2014 by [S.I. 2014/453](#), **art. 2(b)**

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**Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:**

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 58(3)(a)-(ab) substituted for s. 58(3)(a) by [2021 asc 1 s. 66\(3\)](#)
- s. 82(5A)-(5C) inserted by [2021 asc 1 s. 116\(3\)](#)
- s. 143A(5C) inserted by [2021 asc 1 s. 56](#)