



# Local Government (Wales) Measure 2011

2011 nawm 4

## PART 6

### OVERVIEW AND SCRUTINY

#### CHAPTER 1

##### OVERVIEW AND SCRUTINY COMMITTEES

###### *Joint overview and scrutiny committees*

#### **58 Joint overview and scrutiny committees**

- (1) The Welsh Ministers may by regulations make provision under which any two or more local authorities may [<sup>F1</sup>or must]—
- (a) appoint a joint committee (a “joint overview and scrutiny committee”), and
  - (b) arrange for the committee to exercise any functions of making reports or recommendations about any matter which is not an excluded matter to—
    - (i) any of the local authorities appointing the committee, and
    - (ii) in the case of a local authority operating executive arrangements under Part 2 of the Local Government Act 2000, the local authority's executive.
- (2) In subsection (1)(b) “excluded matter” means any matter with respect to which a crime and disorder committee could make a report or recommendations—
- (a) by virtue of subsection (1)(b) of section 19 of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters), or
  - (b) by virtue of subsection (3)(a) of that section.
- (3) The provision that may be made in regulations under this section includes (but is not limited to)—
- [<sup>F2</sup>(a) provision about the circumstances in which arrangements may be made;

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*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 58. (See end of Document for details)*

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- (aa) provision prescribing circumstances in which arrangements must be made;
  - (ab) provision for arrangements to be made subject to prescribed conditions or limitations;]
  - (b) provision for the appointment of sub-committees of joint overview and scrutiny committees;
  - (c) in relation to joint overview and scrutiny committees (or sub-committees of such committees), provision applying, or corresponding to, any provision of—
    - (i) subsections (4) to (15A) and (18) of section 21 of the Local Government Act 2000,
    - (ii) sections 21A, 21B, 21D, 21F and 21G of that Act,
    - (iii) section 186 of, and Schedule 11 to, the National Health Service (Wales) Act 2006.
- (4) A local authority and a joint overview and scrutiny committee must <sup>F3</sup>... have regard to guidance given by the Welsh Ministers [<sup>F4</sup>in relation to the exercise of any function it has under or by virtue of this section].
- (5) In section 21 of the Local Government Act 2000 (overview and scrutiny committees), in subsection (2A)(e)—
- (a) after “committee” insert “—
    - (i)”;
  - (b) after “concerned” insert “, or
    - (ii) a joint overview and scrutiny committee within the meaning of section 58 of the Local Government (Wales) Measure 2011 appointed by two or more local authorities, one of which is the authority concerned”.

#### **Textual Amendments**

- F1** Words in s. 58(1) inserted (5.5.2022) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 66(2)**, 175(7); S.I. 2021/231, art. 6(n)
- F2** S. 58(3)(a)-(ab) substituted for s. 58(3)(a) (5.5.2022) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 66(3)**, 175(7); S.I. 2021/231, art. 6(n)
- F3** Words in s. 58(4) omitted (5.5.2022) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 66(4)(a)**, 175(7); S.I. 2021/231, art. 6(n)
- F4** Words in s. 58(4) inserted (5.5.2022) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 66(4)(b)**, 175(7); S.I. 2021/231, art. 6(n)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 58.