



Local Government (Wales) Measure 2011

2011 nawm 4

PART 6

OVERVIEW AND SCRUTINY

CHAPTER 1

OVERVIEW AND SCRUTINY COMMITTEES

Appointing persons to chair committees

71 Failure to make appointments in accordance with section 70

- (1) A local authority's appointment provision complies with this section if it provides—
 - (a) for the authority to be required, on each occasion when some or all of the committee chairs (“the unappointed chairs”) which fall to be appointed in accordance with appointment provision that complies with section 70 are not so appointed, to make a determination under subsection (2) of how the unappointed chairs are to be appointed, and
 - (b) for the unappointed chairs to be appointed accordingly.
- (2) The determination referred to in subsection (1) is a determination which, so far as reasonably practicable, gives effect to the following principles.
- (3) The first principle is that no executive group is entitled to appoint any of the unappointed chairs.
- (4) The second principle is that—
 - (a) if there is only one opposition group and it has made all of its initial appointments, or
 - (b) if there are two or more opposition groups and one or more of them have made all of their initial appointments,

Status: This is the original version (as it was originally enacted).

each appointing group is entitled to appoint the proportion of unappointed committee chairs which corresponds to the proportion of completed initial appointments which were appointments made by that group.

(5) The third principle is that if—

- (a) there are unappointed committee chairs, but
- (b) none of them fall to be appointed as mentioned in subsection (4),

each unappointed committee chair is to be appointed by the committee which that person is to chair.

(6) The fourth principle is that if—

- (a) one or more unappointed committee chairs fall to be appointed as mentioned in subsection (4), but
- (b) one or more of them are not so appointed,

each committee chair not so appointed is to be appointed by the committee which that person is to chair.

(7) In this section—

“appointing group” (*“grŵp penodi”*) means an opposition group which makes all of its initial appointments;

“completed initial appointment” (*“penodiad cychwynnol gorffenedig”*) means an initial appointment that is made;

“initial appointment” (*“penodiad cychwynnol”*), in relation to a political group, means an appointment which the group is entitled to make in accordance with appointment provision that complies with section 70.