



# Government of Wales Act 1998

## CHAPTER 38

### GOVERNMENT OF WALES ACT 1998

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*Status: Point in time view as at 08/01/2004.*

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- 138 Winding-down.
- 139 Abolition etc.

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## SCHEDULES

### SCHEDULE 1 — Assembly constituencies and Assembly electoral regions

#### *General*

- 1 The Assembly constituencies shall be the parliamentary constituencies in Wales....
- 2 (1) There shall be five Assembly electoral regions.
- 3 Paragraphs 1 and 2(2) and (3) are subject to any...

#### *Consideration of, and of number of seats for, Assembly electoral regions*

- 4 When the Boundary Commission for Wales (“the Commission”) provisionally determine...

#### *Notices of proposed recommendations affecting Assembly electoral regions*

- 5 (1) Where, after the consideration required by paragraph 4, the...

#### *Local inquiries in respect of Assembly electoral regions*

- 6 (1) The Commission may, if they think fit, cause a...

#### *Reports to show any alterations affecting Assembly electoral regions*

- 7 (1) This paragraph applies where the Commission submit to the...

#### *The rules*

- 8 (1) The rules referred to in paragraphs 4 and 7(2)...

#### *Orders in Council giving effect to reports of Commission*

- 9 (1) An Order in Council under the 1986 Act for...

#### *Interpretation*

- 10 (1) For the purposes of any report of the Commission...
- 11 In this Schedule— “the 1986 Act” means the Parliamentary Constituencies...

### SCHEDULE 2 — Fields in which functions are to be transferred by first Order in Council

- 1 Agriculture, forestry, fisheries and food.
- 2 Ancient monuments and historic buildings.
- 3 Culture (including museums, galleries and libraries).
- 4 Economic development.
- 5 Education and training.
- 6 The environment.
- 7 Health and health services.
- 8 Highways.
- 9 Housing.
- 10 Industry.
- 11 Local government.
- 12 Social services.

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- 13 Sport and recreation.
- 14 Tourism.
- 15 Town and country planning.
- 16 Transport.
- 17 Water and flood defence.
- 18 The Welsh language.

SCHEDULE 3 — Transfer etc. of functions: further provisions  
Part I — FUNCTIONS TRANSFERABLE ETC

*Existing and future functions*

- 1 (1) Subject to sub-paragraph (2), an Order in Council under...

*Functions relating to culture*

- 2 If and to the extent that any function is exercisable...

*Cross-border functions*

- 3 (1) The power conferred by section 22 to make an...

*Functions exercisable beyond the territorial sea*

- 4 (1) The power conferred by section 22(1)(c) includes power to...

Part II — CONTINUING ROLE FOR TRANSFEROR ETC

*Community obligations*

- 5 Any power of a Minister of the Crown to make...

*Intervention in case of functions relating to water etc.*

- 6 (1) Where it appears to the Secretary of State that...

*Agreement or consultation*

- 7 An Order in Council under section 22 which includes provision—...
- 8 If an Order in Council under section 22 includes provision...
- 9 (1) This paragraph applies where a function is exercisable by...

Part III — SUPPLEMENTARY

*Interpretation*

- 10 References in section 22 and this Schedule to a Minister...
- 11 References in sections 22 to 25 and this Schedule to...

*Saving*

- 12 An Order in Council under section 22—

SCHEDULE 4 — Public bodies subject to reform by Assembly  
Part I — BODIES WHICH MAY LOSE OR GAIN FUNCTIONS

- 1 An agricultural dwelling-house advisory committee for an area wholly in,...
- 2 An agricultural wages committee for an area wholly in, or...
- 3 The Ancient Monuments Board for Wales.



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- 3A The Care Council for Wales.
- 4 The committee established under section 11 of the Environment Act...
- 5 The National Council for Education and Training for Wales.
- 6 The sub-committee for Wales of the advisory committee for England,...
- 7 The Historic Buildings Council for Wales.
- 8 The Library Advisory Council for Wales (known as the Library...
- 9 The Qualifications, Curriculum and Assessment Authority for Wales.
- 10 The Wales Tourist Board.
- 11 The Welsh Development Agency.
- 12 The Welsh Industrial Development Advisory Board.
- 13 The Welsh Language Board.
  - Part II — BODIES WHICH MAY LOSE FUNCTIONS OR GAIN FUNCTIONS WITH CONSENT
- 14 The committees referred to in section 19(1) of, or paragraph...
  - Part III — BODIES WHICH MAY ONLY GAIN FUNCTIONS
- 15 The Countryside Council for Wales.
- 16 The Higher Education Funding Council for Wales.
- 17 The Welsh National Board for Nursing, Midwifery and Health Visiting....
  - Part IV — BODIES WHICH MAY ONLY GAIN FUNCTIONS AND ONLY WITH CONSENT
- 18 The Arts Council of Wales.
- 19 The National Library of Wales.
- 20 The National Museum of Wales.
- 21 The Royal Commission on Ancient and Historical Monuments of Wales....
- 22 The Sports Council for Wales.

SCHEDULE 5 — Bodies and offices covered by section 74

- 1 The bodies specified in Schedule 4.
- 2 The Advisory Committee on Pesticides.
- 3 The Committee on Agricultural Valuation.
- 4 The Agricultural Wages Board for England and Wales.
- 5 The Apple and Pear Research Council.
- 6 The Committee on Aquaculture Research and Development.
- 7 The Audit Commission for Local Authorities and the National Health...
- 8 The British Tourist Authority.
- 9 The British Waterways Board.
- 10 The British Wool Marketing Board.
- 11 The Central Council for Education and Training in Social Work....
- 12 The Clinical Standards Advisory Group.
- 12A The Commission for Healthcare Audit and Inspection.
- 13 A Community Health Council . . .
- 14 The Standing Dental Advisory Committee.
- 15 The Dental Practice Board.
- 16 The Committee on Dental and Surgical Materials.
- 17 The Environment Agency.
- 18 The Family Health Services Appeal Authority.
- 19 Food from Britain. Food Standards Agency. Food Standards Agency advisory...
- 20 A Health Authority for an area in, or consisting of,...
- 20A The Health Protection Agency.

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- 21 The advisory committee for England, Wales and Northern Ireland constituted...
- 22 The Home Grown Cereals Authority.
- 23 The Horticultural Development Council.
- 24 The Joint Nature Conservation Committee.
- 25 The Local Government Boundary Commission for Wales.
- 25A A Local Health Board.
- 26 The Meat and Livestock Commission.
- 27 The Standing Medical Advisory Committee.
- 28 The Mental Health Act Commission.
- 29 The Milk Development Council.
- 30 The Museums and Galleries Commission.
- 31 The National Biological Standards Board.
- 32 A National Health Service trust all or some of whose...
- 33 The Trustees of the National Heritage Memorial Fund.
- 34 The National Lottery Charities Board.
- 35 The National Radiological Protection Board.
- 36 The Standing Nursing and Midwifery Advisory Committee.
- 37 The Standing Pharmaceutical Advisory Committee.
- 38 The Potato Industry Development Council (known as the British Potato...
- 39 The Public Health Laboratory Service Board.
- 40 The Residuary Milk Marketing Board.
- 41 The Sea Fish Industry Authority.
- 42 A Special Health Authority performing functions only or mainly in...
- 43 The Sugar Beet Research and Education Committee.
- 44 The United Kingdom Sports Council.
- 45 The United Kingdom Transplant Support Service Authority.
- 46 The Wales Centre for Health.

SCHEDULE 6 — Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru

*Interpretation*

- 1 In this Schedule— “the Chief Inspector” means Her Majesty’s Chief...

*Status of the Office of the Chief Inspector*

- 2 The Secretary of State may by order provide that the...

*Status of the Chief Inspector and his staff*

- 3 (1) Despite the provision made by section 104—

*Receipts*

- 4 (1) The Treasury may direct that any requirement that sums...

*Accounts*

- 5 (1) The Chief Inspector shall keep proper accounting records.

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*Audit*

- 6 (1) The accounts prepared by the Chief Inspector for any...

*Accounting officer*

- 7 (1) The accounting officer for the Office of the Chief...

*Examinations into use of resources*

- 8 (1) The Auditor General for Wales may carry out examinations...

*Examinations by the Comptroller and Auditor General*

- 9 (1) For the purpose of enabling him to carry out...

SCHEDULE 7 — Forestry Commissioners

*Separate exercise of functions in relation to Wales*

- 1 (1) The Secretary of State may by order make provision...  
2 (1) This paragraph applies where a function of the Forestry...

*Status of Commissioners and staff*

- 3 Nothing in section 105 or this Schedule affects the status...

*Receipts*

- 4 (1) Any sums received by the Forestry Commissioners—

*Accounts*

- 5 (1) The Forestry Commissioners shall keep proper accounting records relating...

*Audit*

- 6 (1) The accounts prepared by the Forestry Commissioners under paragraph...

*Accounting officer*

- 7 (1) The Treasury shall designate one of the Forestry Commissioners...

*Examinations into use of resources*

- 8 (1) The Auditor General for Wales may carry out examinations...

*Examinations by the Comptroller and Auditor General*

- 9 (1) For the purpose of enabling him to carry out...

*Reports*

- 10 (1) The Forestry Commissioners shall, no later than such time...

*Interpretation*

- 11 References in this Schedule to the Welsh finances of the...

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## SCHEDULE 8 — Devolution issues

### Part I — PRELIMINARY

- 1 (1) In this Schedule “devolution issue” means—
- 2 A devolution issue shall not be taken to arise in...

### Part II — PROCEEDINGS IN ENGLAND AND WALES

#### *Application of Part II*

- 3 This Part of this Schedule applies in relation to devolution...

#### *Institution of proceedings*

- 4 (1) Proceedings for the determination of a devolution issue may...

#### *Notice of devolution issue*

- 5 (1) A court or tribunal shall order notice of any...

#### *Reference of devolution issue to High Court or Court of Appeal*

- 6 A magistrates’ court may refer any devolution issue which arises...
- 7 (1) A court may refer any devolution issue which arises...
- 8 A tribunal from which there is no appeal shall refer...
- 9 A court, other than the Court of Appeal or the...

#### *References from Court of Appeal to Judicial Committee*

- 10 The Court of Appeal may refer any devolution issue which...

#### *Appeals from superior courts to Judicial Committee*

- 11 An appeal against a determination of a devolution issue by...

### Part III — PROCEEDINGS IN SCOTLAND

#### *Application of Part III*

- 12 This Part of this Schedule applies in relation to devolution...

#### *Institution of proceedings*

- 13 (1) Proceedings for the determination of a devolution issue may...

#### *Intimation of devolution issue*

- 14 (1) A court or tribunal shall order intimation of any...

#### *Reference of devolution issue to higher court*

- 15 A court, other than any court consisting of three or...
- 16 A tribunal from which there is no appeal shall refer...
- 17 A court, other than any court consisting of two or...

#### *References from superior courts to Judicial Committee*

- 18 Any court consisting of three or more judges of the...
- 19 Any court consisting of two or more judges of the...

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*Appeals from superior courts to Judicial Committee*

- 20 An appeal against a determination of a devolution issue by...  
21 An appeal against a determination of a devolution issue by—...  
Part IV — PROCEEDINGS IN NORTHERN IRELAND

*Application of Part IV*

- 22 This Part of this Schedule applies in relation to devolution...

*Institution of proceedings*

- 23 (1) Proceedings for the determination of a devolution issue may...

*Notice of devolution issue*

- 24 (1) A court or tribunal shall order notice of any...

*Reference of devolution issue to Court of Appeal*

- 25 A court, other than the Court of Appeal in Northern...  
26 A tribunal from which there is no appeal shall refer...

*References from Court of Appeal to Judicial Committee*

- 27 The Court of Appeal in Northern Ireland may refer any...

*Appeals from Court of Appeal to Judicial Committee*

- 28 An appeal against a determination of a devolution issue by...  
Part V — GENERAL

*Proceedings in the House of Lords*

- 29 Any devolution issue which arises in judicial proceedings in the...

*Direct references to Judicial Committee*

- 30 (1) The relevant law officer or the Assembly may require...  
31 (1) The Attorney General or the Assembly may refer to...

*The Judicial Committee*

- 32 Any decision of the Judicial Committee in proceedings under this...  
33 No member of the Judicial Committee shall sit and act...  
34 (1) Her Majesty may by Order in Council—

*Costs*

- 35 (1) A court or tribunal before which any proceedings take...

*Procedure of courts and tribunals*

- 36 Any power to make provision for regulating the procedure before...

*References to be for decision*

- 37 Any function conferred by this Schedule to refer a devolution...

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SCHEDULE 9 — Welsh Administration Ombudsman  
Part I — THE OMBUDSMAN

*Appointment*

- 1 (1) The Welsh Administration Ombudsman shall be appointed by Her...

*Status*

- 2 (1) The person for the time being holding the office...

*Acting Welsh Administration Ombudsman*

- 3 (1) Where the office of Welsh Administration Ombudsman becomes vacant,...

*Remuneration*

- 4 (1) The Assembly shall— (a) pay the Welsh Administration Ombudsman...

*Staff and advisers*

- 5 (1) The Welsh Administration Ombudsman may appoint such staff as...

*Reports*

- 6 (1) The Welsh Administration Ombudsman— (a) shall annually prepare and...

*Expenses*

- 7 (1) The expenses of the Welsh Administration Ombudsman shall, so...

*Estimates*

- 8 (1) For each financial year after the first financial year...

*Accounts*

- 9 (1) The Welsh Administration Ombudsman shall keep proper accounting records....

*Audit*

- 10 (1) The accounts prepared by the Welsh Administration Ombudsman for...

*Accounting officer*

- 11 (1) The accounting officer for the Office of the Welsh...

*Examinations into use of resources*

- 12 (1) The Auditor General for Wales may carry out examinations...

*Examinations by the Comptroller and Auditor General*

- 13 (1) For the purpose of enabling him to carry out...

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## Part II — INVESTIGATION OF COMPLAINTS

### *Bodies subject to investigation*

- 14 (1) The bodies subject to investigation by the Welsh Administration...  
15 (1) The notes referred to in paragraph 14(1)(b) are— 1.In...  
16 (1) An order under paragraph 14(3) may only add a...

### *Matters which may be investigated*

- 17 (1) The Welsh Administration Ombudsman may investigate any action taken...

### *Complaints*

- 18 (1) A complaint may be made to the Welsh Administration...

### *Investigation procedure*

- 19 (1) Where the Welsh Administration Ombudsman proposes to conduct an...

### *Evidence*

- 20 (1) For the purposes of an investigation by the Welsh...

### *Obstruction and contempt*

- 21 (1) The Welsh Administration Ombudsman may certify an offence to...

### *Reports*

- 22 (1) Where the Welsh Administration Ombudsman has conducted an investigation...

### *Action in response to reports*

- 23 (1) Where the Assembly First Secretary receives a copy of...

### *Reports: supplementary*

- 24 (1) Apart from identifying any body investigated, a report under...

### *Confidentiality of information*

- 25 (1) Information obtained by the Welsh Administration Ombudsman or a...  
26 (1) Sub-paragraph (2) applies where— (a) the Welsh Administration Ombudsman...

### *Consultation and co-operation with other Ombudsmen*

- 27 (1) Where the Welsh Administration Ombudsman, at any stage in...

### *Disclosure of information to Information Commissioner*

- 28 (1) The Welsh Administration Ombudsman may disclose to the Information...

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#### SCHEDULE 10 — Amendments of Health Service Commissioners Act 1993

- 1 The Health Service Commissioners Act 1993 has effect subject to...
- 2 In section 1(3) (which introduces Schedule 1), for “the Commissioners...
- 3 (1) Section 2 (bodies subject to investigation by Health Service...
- 4 In section 2B (independent providers subject to investigation), after subsection...
- 5 In section 3 (remit of Commissioners), after subsection (1) insert—...
- 6 In section 7(1) (exception of action taken in respect of...
- 7 In section 8(2) (authorities not entitled to make a complaint)—...
- 8 In section 10 (referral of complaints by health service bodies),...
- 9 In section 11(4) (payment of expenses etc. by Commissioner)—
- 10 (1) Section 14 (reports by Commissioners) is amended as follows....
- 11 After that section insert— Reports by Welsh Commissioner. (1) In any case where the Health Service Commissioner for...
- 12 In section 15(3) (interpretation of reference to a Commissioner’s advisers),...
- 13 In section 17(1) (use of information by Commissioner in other...
- 14 (1) Section 18 (consultation with other Commissioners) is amended as...
- 15 (1) Section 19 (interpretation) is amended as follows.
- 16 (1) Schedule 1 (the Commissioners) is amended as follows.
- 17 After that Schedule insert— SCHEDULE 1A The Welsh Commissioner Section...

#### SCHEDULE 11 — Relations with local government: supplementary

##### Part I — THE PARTNERSHIP COUNCIL

##### *Membership of Partnership Council*

- 1 (1) The members of the Partnership Council shall be appointed...
- 2 (1) The Assembly shall appoint as members of the Partnership...

##### *Consultation about membership of Partnership Council*

- 3 (1) After each ordinary election the Assembly shall consult—

##### *Cessation of membership of Partnership Council*

- 4 (1) Subject to the following provisions of this paragraph, a...

##### *Procedure of Partnership Council*

- 5 (1) The Partnership Council must meet at least once a...

##### Part II — THE LOCAL GOVERNMENT SCHEME

- 6 The Assembly shall keep the local government scheme under review...
- 7 The Assembly may not delegate the function of making, or...
- 8 The Assembly shall publish the local government scheme when first...
- 9 After each financial year the Assembly shall publish a report...

#### SCHEDULE 12 — Minor and consequential amendments

##### *The Exchequer and Audit Departments Act 1866 (c.39)*

- 1 At the end of section 3 of the Exchequer and...



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*The Statutory Instruments Act 1946 (c.36)*

- 2 In section 1 of the Statutory Instruments Act 1946 (document...

*The Public Records Act 1958 (c.51)*

- 3 (1) The First Schedule to the Public Records Act 1958...

*The Parliamentary Commissioner Act 1967 (c.13)*

- 4 The Parliamentary Commissioner Act 1967 has effect subject to the...  
5 In section 3(2) (performance of functions of Parliamentary  
Commissioner by...  
6 In section 4 (departments etc. subject to investigation), after  
subsection...  
7 In section 11(2A) (disclosure of information between Parliamentary  
Commissioner and...  
8 (1) Section 11A (consultations between Parliamentary Commissioner  
and Health Service...  
9 In Schedule 2 (departments etc. subject to investigation by  
Parliamentary...

*The Pensions (Increase) Act 1971 (c.56)*

- 10 In Part II of Schedule 2 to the Pensions (Increase)...

*The Local Government Act 1974 (c.7)*

- 11 The Local Government Act 1974 has effect subject to the...  
12 (1) Section 23 (the Commissions for Local Administration) is  
amended...  
13 In section 26(6)(b) (no investigation where person aggrieved has right...  
14 In section 27(1) (authorities not entitled to make a complaint)—...  
15 (1) Section 29 (provisions about investigations) is amended as  
follows...  
16 In section 32(5) (inclusion in Local Commissioner's report of  
information...  
17 (1) Section 33 (consultation with other Commissioners) is amended as...

*The Juries Act 1974 (c.23)*

- 18 In Part III of Schedule 1 to the Juries Act...

*The House of Commons Disqualification Act 1975 (c.24)*

- 19 In Part III of Schedule 1 to the House of...

*The Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c.55)*

- 20 In Part III of Schedule 1 to the Law Reform...

*The Mental Health Act 1983 (c.20)*

- 21 The Mental Health Act 1983 has effect subject to the...  
22 In section 134(3)(c) (no power to withhold correspondence between  
patients...  
23 In section 141 (members of House of Commons suffering from...

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*The Insolvency Act 1986 (c.45)*

- 24 In section 427 of the Insolvency Act 1986 (members of...

*The Finance Act 1987 (c.16)*

- 25 In section 55(1) of the Finance Act 1987 (Crown exemption...

*The Copyright, Designs and Patents Act 1988 (c.48)*

- 26 The Copyright, Designs and Patents Act 1988 has effect subject...  
27 In section 49 (copying of public records not to constitute...  
28 In section 163 (Crown copyright), after subsection (1) insert—  
29 In paragraph 10(1) of Schedule 2 (copying of public records...

*The Official Secrets Act 1989 (c.6)*

- 30 In section 12(2) of the Official Secrets Act 1989 (which...

*The Finance Act 1989 (c.26)*

- 31 (1) Section 182 of the Finance Act 1989 (restrictions on...

*The Social Security Administration Act 1992 (c.5)*

- 32 In section 123(8) of the Social Security Administration Act 1992...

*The Tribunals and Inquiries Act 1992 (c.53)*

- 33 In section 16(1) of the Tribunals and Inquiries Act 1992...

*The European Communities (Amendment) Act 1993 (c.32)*

- 34 In section 6 of the European Communities (Amendment) Act 1993...

*The Value Added Tax Act 1994 (c.23)*

- 35 In section 41(6) of the Value Added Tax Act 1994...

*The Deregulation and Contracting Out Act 1994 (c.40)*

- 36 In section 79(1) of the Deregulation and Contracting Out Act...

SCHEDULE 13 — Welsh Development Agency: land provisions

- 1 The Welsh Development Agency Act 1975 has effect subject to...  
2 After section 21 insert— Powers of land acquisition. (1) The powers to acquire land mentioned in sections 1(7)(h)...  
3 After Schedule 3 insert— SCHEDULE 4 Acquisition of land Section...

SCHEDULE 14 — Welsh Development Agency: other amendments

Part I — AMENDMENTS OF WELSH DEVELOPMENT AGENCY ACT 1975

*Introductory*

- 1 The Welsh Development Agency Act 1975 has effect subject to...

*Schemes for performance of Agency's functions*

- 2 (1) Section 1 (functions of Agency and purposes for which...

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### *Membership of Agency*

- 3 In section 2(1) (Agency to consist of chairman, deputy chairman...

### *Use of agents*

- 4 In section 5(1) (carrying out of certain functions by Agency...

### *Functions relating to industry*

- 5 (1) Section 9 (provision of sites and premises for industry)...  
6 In section 10 (power of Secretary of State to authorise...

### *Schemes for performance of environmental functions*

- 7 (1) Section 15 (the environment) is amended as follows.

### *Financial duties of Agency*

- 8 In section 17(1) (duty of Secretary of State to determine...

### *Service of documents*

- 9 For section 25 (service of documents) substitute— Service of documents....

### *Interpretation of the 1975 Act*

- 10 (1) Section 27(1) (interpretation) is amended as follows.

### *Orders under the 1975 Act*

- 11 (1) Section 28 (orders) is amended as follows.

### *Agency staff and transactions*

- 12 (1) Schedule 1 (constitution, staff and proceedings of the Agency)...  
Part II — AMENDMENTS OF OTHER ENACTMENTS

### *The Public Bodies (Admission to Meetings) Act 1960 (c.67)*

- 13 In paragraph 1 of the Schedule to the Public Bodies...

### *The Land Compensation Act 1961 (c.33)*

- 14 In section 23(3) of the Land Compensation Act 1961 (cases...

### *The Development of Rural Wales Act 1976 (c.75)*

- 15 In section 26(2) of the Development of Rural Wales Act...

### *The Acquisition of Land Act 1981 (c.67)*

- 16 The Acquisition of Land Act 1981 has effect subject to...  
17 In section 17(3) (opposed order for compulsory purchase of land...  
18 In section 28 (provisions about the acquisition of rights by...  
19 In section 31(1) (acquisition under certain provisions of statutory undertakers'...  
20 In paragraph 4(3) of Schedule 3 (opposed order for compulsory...

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## SCHEDULE 15 — Development Board for Rural Wales

### *The Landlord and Tenant Act 1954 (c.56)*

- 1 In section 59(1) of the Landlord and Tenant Act 1954...

### *The Parliamentary Commissioner Act 1967 (c.13)*

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

### *The Local Government Act 1974 (c.7)*

- 3 In paragraph 6 of Schedule 5 to the Local Government...

### *The Welsh Development Agency Act 1975 (c.70)*

- 4 In section 11(2)(b) of the Welsh Development Agency Act 1975...

### *The Local Government (Miscellaneous Provisions) Act 1982 (c.30)*

- 5 In paragraph 2(5)(c) of Schedule 4 to the Local Government...

### *The Housing Act 1985 (c.68)*

- 6 The Housing Act 1985 has effect subject to the following...  
7 In section 4(a) (meaning of “housing authority”), for “, a...  
8 In section 50(2) (offences), after “authority” insert “ or ”...  
9 In section 51(6) (meaning of “qualified accountant”), for “, a...  
10 In section 114(1) and (2) (meaning of “landlord authority”), after...

### *The Landlord and Tenant Act 1985 (c.70)*

- 11 The Landlord and Tenant Act 1985 has effect subject to...  
12 In section 26(1) (sections 18 to 25 not to apply...  
13 In section 28(6) (meaning of “qualified accountant”), for “, a...  
14 In paragraph 9(1) of the Schedule (paragraphs 2 to 8...

### *The Housing Act 1988 (c.50)*

- 15 In section 35(4)(a) of the Housing Act 1988 (cases where...

### *The Local Government and Housing Act 1989 (c.42)*

- 16 In section 90(2)(c) of the Local Government and Housing Act...

### *The Water Industry Act 1991 (c.56)*

- 17 In section 97(5) of the Water Industry Act 1991 (performance...

### *The Social Security Administration Act 1992 (c.5)*

- 18 In section 191 of the Social Security Administration Act 1992...

## SCHEDULE 16 — Housing for Wales

### *The Friendly and Industrial and Provident Societies Act 1968 (c.55)*

- 1 In section 4A(3)(b) of the Friendly and Industrial and Provident...

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*The Protection from Eviction Act 1977 (c.43)*

2 In section 3A(8) of the Protection from Eviction Act 1977...

*The Criminal Law Act 1977 (c.45)*

3 (1) Section 12A of the Criminal Law Act 1977 (protected...

*The Housing Act 1985 (c.68)*

4 The Housing Act 1985 has effect subject to the following...  
5 Subject to the following provisions, in each place (except in...  
6 In section 5(4)(b) (meaning of “registered social landlord”), for  
“Housing...  
7 In section 6A(1) and (2) (interpretation), for “Housing for Wales”...  
8 (1) Section 45 (definition of “public sector authority”) is amended...  
9 In section 57 (index of defined expressions), omit the entry...  
10 In section 92(2A)(a) (assignments by way of exchange), omit  
“Housing...  
11 In section 117 (index of defined expressions)—  
12 In section 157(4) (restriction on disposal of dwelling-houses in  
National...  
13 In section 171(2) (power to extend right to buy etc.),...  
14 In section 188 (index of defined expressions)—  
15 (1) Section 429A (housing management: financial assistance) is  
amended as...  
16 In section 450A (loans for service charges in right to...  
17 (1) Section 450B (loans for service charges) shall be amended...  
18 (1) Section 458 (definitions) is amended as follows.  
19 In section 459 (index of defined expressions)—  
20 In section 577 (index of defined expressions)—  
21 (1) Schedule 2 (grounds for possession of dwelling-houses let under...  
22 In paragraph 7(1) of Schedule 4 (landlords for the purposes...

*The Housing Associations Act 1985 (c.69)*

23 The Housing Associations Act 1985 has effect subject to the...  
24 (1) Section 9 (control of dispositions of grant-aided land by...  
25 In section 10(1)(c) (requirement that Charity Commissioners consult  
before making...  
26 In section 33A (provision of services between the Housing  
Corporation,...  
27 (1) Section 69 (power to vary or terminate certain agreements...  
28 Subject to the following provisions, in each place in Part...  
29 (1) Section 74 (interpretation) is amended as follows.  
30 .....  
31 In section 76(1), (2) and (4) (directions by the Secretary...  
32 (1) Section 76A (realisation of value of Corporation’s loans portfolio)...  
33 In section 77(3) (joint provision of advisory service by Housing...  
34 In section 78(1) (annual report), for “Corporation” substitute “  
Housing...  
35 (1) Section 79 (lending powers) is amended as follows.  
36 (1) Section 80 (security for loans to unregistered self-build societies)...  
37 (1) Section 83 (power to guarantee loans) is amended as...  
38 (1) Section 84 (agreements to indemnify certain lenders) is amended...

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- 39 In section 85(4) (meaning of “relevant advance”)—
- 40 In section 87(2) (ways in which financial assistance under the...
- 41 In section 88(1) (acquisition of land), for “may be authorised...
- 42 (1) Section 90 (disposal of land) is amended as follows....
- 43 In section 91 (protection of persons deriving title under transactions...
- 44 In section 92 (borrowing powers), for “Corporation” (in each place)...
- 45 (1) Section 93 (limit on borrowing) is amended as follows....
- 46 In section 94(1) and (4) (Treasury guarantees of borrowing), for...
- 47 In section 95 (grants by Secretary of State), in subsection...
- 48 (1) Section 96 (general financial provisions) is amended as follows....
- 49 In section 97(1), (2), (3) and (4) (accounts), for “Corporation”...
- 50 In section 98(1) (acquisition of securities and promotion of body...
- 51 In section 99(1) and (2) (control of subsidiaries), for “Corporation”...
- 52 In paragraph 6(2)(b) of Part I of Schedule 5 (payments...
- 53 (1) Schedule 7 (powers exercisable where loan outstanding under section...

*The Income and Corporation Taxes Act 1988 (c.1)*

- 54 The Income and Corporation Taxes Act 1988 has effect subject...
- 55 In section 376(4) (qualifying lenders), for paragraph (ka) substitute—
- 56 In section 488(7A) (co-operative housing associations), omit paragraph (b) and...
- 57 In section 489(5A) (self-build societies), omit paragraph (b) and the...
- 58 In section 560(2) (persons who are “contractors”)—

*The Housing Act 1988 (c.50)*

- 59 The Housing Act 1988 has effect subject to the following...
- 60 In section 35(5) (protected and statutory tenancies not prevented from...
- 61 (1) Subject to the following provisions, in each place in...
- 62 Omit section 46 (Housing for Wales).
- 63 Omit section 47 (transfer to Housing for Wales of regulation...
- 64 (1) Section 50 (housing association grants applied for before the...
- 65 In section 53(2) (general determinations by the Corporation only to...
- 66 In section 57 (delegation of functions by Secretary of State)—...
- 67 In section 59(2) (introduction of Schedule 6)—
- 68 In section 81 (consent of Secretary of State to certain...
- 69 (1) Section 82 (legal assistance to tenants) is amended as...
- 70 Omit section 92(2) (meaning of “the Corporation” in Part III)....
- 71 In section 133 (consent of Secretary of State to certain...
- 72 In section 140(1) (amendments), omit the words “and in that...
- 73 Omit Schedule 5 (constitution etc. of Housing for Wales).

*The Local Government and Housing Act 1989 (c.42)*

- 74 The Local Government and Housing Act 1989 has effect subject...
- 75 In section 172(2)(b) (transfer of new town housing stock), omit...
- 76 (1) Section 173 (consent required for subsequent disposals) is amended...

*The Taxation of Chargeable Gains Act 1992 (c.12)*

- 77 The Taxation of Chargeable Gains Act 1992 has effect subject...
- 78 In section 218(3) (disposals between Housing for Wales and certain...

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- 79 In section 219(2) (disposals by Housing for Wales etc. and...
- 80 In the heading preceding section 218 and in the sidenotes...

*The Housing Act 1996 (c.52)*

- 81 Part I of the Housing Act 1996 has effect subject...
- 82 (1) Subject to the following provisions, in each place (including...
- 83 (1) Section 1 (register of social landlords) is amended as...
- 84 (1) Section 9 (Corporation’s consent required for disposal of land...
- 85 (1) Section 18 (social housing grants) is amended as follows....
- 86 For section 30(5) (notices requiring giving of information or production...
- 87 For section 36(3) and (4) (issue of guidance about management...
- 88 (1) Section 46 (appointment of manager to implement agreed proposals)...
- 89 In section 49(3) (forms of assistance which require consent of...
- 90 In section 51(2) (the bodies that are social landlords for...
- 91 In section 52(1) (provisions about powers of Secretary of State...
- 92 In section 53(1), (4) and (5) (provisions about determinations), for...
- 93 In section 54 (determinations requiring the Secretary of State’s approval),...
- 94 In section 56(1), (2) and (4) (definitions), for “Housing for...
- 95 In section 64 (index of defined expressions)—
- 96 (1) Schedule 1 (regulation of registered social landlords) is amended...
- 97 (1) Schedule 2 (social rented sector: housing complaints) is amended...

*The Audit Commission Act 1998 (c.18)*

- 98 The Audit Commission Act 1998 has effect subject to the...
- 99 (1) Section 40 (power of Secretary of State to direct...
- 100 In section 41(1) and (4) (provisions supplementary to section 40),...
- 101 In section 42 (functions of Audit Commission in relation to...
- 102 In section 43 (interpretation), for “Corporation” substitute “ Relevant Authority...

SCHEDULE 17 — Audit etc. of Welsh public bodies

Part I — BODIES SUBJECT GENERALLY TO AUDIT ETC. PROVISIONS

- 1 A body specified in Part I or III of Schedule...
- 2 An Agricultural Land Tribunal established for an area wholly in,...
- 3 A housing action trust established for an area wholly in...
- 4 The Local Government Boundary Commission for Wales.
- 5 The Mental Health Review Tribunal for Wales.
- 6 The National Library of Wales.
- 7 The National Museum of Wales.
- 8 A panel, established under Schedule 10 to the Rent Act...
- 9 The Royal Commission on Ancient and Historical Monuments of Wales....
- 10 An urban development corporation established for an urban development area...
- 11 A valuation tribunal exercising functions in relation only to Wales...

Part II — BODIES PARTIALLY SUBJECT TO AUDIT ETC. PROVISIONS

- 12 A Health Authority for an area in, or consisting of,...
- 12A A Local Health Board.
- 13 A National Health Service trust all or most of whose...

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- 14 A Special Health Authority performing functions only or mainly in...
  - 14A A body of trustees appointed in pursuance of section 29(1)...
    - Part III — BODIES SUBJECT ONLY TO PROVISIONS ABOUT ACCOUNTING OFFICERS AND EXAMINATIONS OF USE OF RESOURCES
  - 15 The Arts Council of Wales.
  - 16 The Sports Council for Wales.
- SCHEDULE 18 — Repeals
- Part I — WELSH ADMINISTRATION OMBUDSMAN AND HEALTH SERVICE COMMISSIONER FOR WALES
  - Part II — WELSH PUBLIC RECORDS
  - Part III — WELSH DEVELOPMENT AGENCY
  - Part IV — DEVELOPMENT BOARD FOR RURAL WALES
  - Part V — LAND AUTHORITY FOR WALES
  - Part VI — HOUSING FOR WALES
  - Part VII — RESIDUARY BODY FOR WALES



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