



Government of Wales Act 1998

1998 CHAPTER 38

PART III

ASSEMBLY PROCEDURE

Delegation

62 Delegation of functions

- (1) The Assembly may delegate functions of the Assembly (to such extent as the Assembly may determine) to—
 - (a) any committee of the Assembly, or
 - (b) the Assembly First Secretary.
- (2) Any committee of the Assembly, apart from the Audit Committee, may delegate functions of the committee (to such extent as the committee may determine) to a sub-committee of the committee.
- (3) In addition—
 - (a) the executive committee may delegate functions of the executive committee (to such extent as the executive committee may determine) to the Assembly First Secretary or an Assembly Secretary, and
 - (b) a subject committee may delegate functions of the subject committee (to such extent as the subject committee may determine) to the member of the executive committee who is a member of the subject committee by virtue of section 57(4).
- (4) A sub-committee of the executive committee may delegate functions of the sub-committee (to such extent as the sub-committee may determine) to the Assembly First Secretary or an Assembly Secretary; and a sub-committee of a subject committee may delegate functions of the sub-committee (to such extent as the sub-committee may determine) to the member of the executive committee who is a member of the subject committee by virtue of section 57(4).

- (5) The Assembly First Secretary may delegate functions of his (to such extent as he may determine) to an Assembly Secretary.
- (6) In delegating a function under any provision of this section the Assembly, a committee of the Assembly or a sub-committee of such a committee may limit or prohibit its further delegation under this section or section 63 (or both); and in delegating a function under subsection (5) the Assembly First Secretary may limit or prohibit its further delegation under section 63.
- (7) Where a function has been delegated to the Assembly, this section applies to the function subject to the terms of the delegation to the Assembly.
- (8) The delegation of a function under this section shall not prevent the exercise of the function by the body or person by whom the delegation is made.

63 Exercise of functions by Assembly staff

- (1) Each of the following—
 - (a) the Assembly,
 - (b) any committee of the Assembly, apart from the Audit Committee,
 - (c) any sub-committee of a committee of the Assembly,
 - (d) the Assembly First Secretary, and
 - (e) any Assembly Secretary,may delegate functions of its or his (to such extent as it or he may determine) to the Assembly's staff.
- (2) Where a function is delegated to the Assembly's staff it is for the Permanent Secretary to the Assembly to make arrangements as to which member or members of the Assembly's staff is or are to exercise the function; and in this subsection "the Permanent Secretary to the Assembly" means the person appointed in accordance with section 34(1) and (3) to be the head of the Assembly's staff (whether or not that person is known by the title of Permanent Secretary to the Assembly).
- (3) Where a function has been delegated to the Assembly, this section applies to the function subject to the terms of the delegation to the Assembly.
- (4) The delegation of a function under this section shall not prevent the exercise of the function by the body or person by whom the delegation is made.