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Government of Wales Act 1998

1998 CHAPTER 38

PART IV

ASSEMBLY FINANCE

Commencement Information

II Part IV partly in force: Ss. 80-103 in force at 1.12.1998 by [S.I. 1998/2789](#), **art. 2**

Payments to Assembly etc.

80 Grants to Assembly.

F1

Textual Amendments

F1 [S. 80](#) repealed (1.4.2007) by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161(3), 163, [Sch. 12](#) (with [Sch. 11](#))

81 Statement of estimated payments etc.

F2

Textual Amendments

F2 [S. 81](#) repealed (25.7.2006) by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161(2), 163, [Sch. 12](#) (with [Sch. 11](#))

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82 Loans to Assembly by Secretary of State.

F3

Textual Amendments
F3 S. 82 repealed (1.4.2007) by Government of Wales Act 2006 (c. 32), ss. 161(3), 163, Sch. 12 (with Sch. 11)

83 Accounts relating to loans under section 82.

F4

Textual Amendments
F4 S. 83 repealed by Government of Wales Act 2006 (c. 32), s. 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

84 Destination of receipts etc.

F5

Textual Amendments
F5 S. 84 repealed (1.4.2007) by Government of Wales Act 2006 (c. 32), ss. 161(3), 163, Sch. 12 (with Sch. 11)

Expenditure by Assembly etc.

85 Expenditure by Assembly.

F6

Textual Amendments
F6 S. 85(1) repealed (1.4.2007) by Government of Wales Act 2006 (c. 32), ss. 161(3), 163, Sch. 12 (with Sch. 11) and s. 85(2)(3) repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

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86 Statement of proposed expenditure etc.

F7

Textual Amendments

F7 S. 86 repealed (25.7.2006) by Government of Wales Act 2006 (c. 32), ss. 161(2), 163, Sch. 12 (with Sch. 11)

87 National Loans Fund lending.

F8

Textual Amendments

F8 S. 87 repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

88 Accounts relating to funds paid to Assembly for lending.

F9

Textual Amendments

F9 S. 88 repealed by Government of Wales Act 2006 (c. 32), s. 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

89 Source of sums paid by Assembly.

F10

Textual Amendments

F10 S. 89 repealed (1.4.2007) by Government of Wales Act 2006 (c. 32), ss. 161(3), 163, Sch. 12 (with Sch. 11)

The Auditor General for Wales

90 Auditor General for Wales.

F11

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Textual Amendments

F11 S. 90 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

91 Remuneration.

F12

Textual Amendments

F12 S. 91 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to [s. 161\(4\)\(5\)](#) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act.

92 Staff etc.

F13

Textual Amendments

F13 S. 92 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

93 [^{F14}Expenses and accounts].

F15

Textual Amendments

F14 S. 93: side-note substituted (1.4.2005) by virtue of [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), [ss. 7, 73](#); [S.I. 2005/558](#), art. 2, [Sch. 1](#) (subject to [Sch. 2](#) para. 1)

F15 S. 93 repealed by [Government of Wales Act 2006 \(c. 32\)](#), s. 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

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[^{F16}93A Fees

^{F17}

Textual Amendments

- F16** S. 93A inserted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), ss. 7, 73; S.I. 2005/558, art. 2, Sch. 1 (subject to Sch. 2 para. 1)
- F17** S. 93A repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

94 Audit of Auditor General's accounts.

^{F18}

Textual Amendments

- F18** S. 94 repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

[^{F19}94A Accounting officer

^{F20}

Textual Amendments

- F19** S. 94A inserted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), ss. 10, 73; S.I. 2005/558, art. 2, Sch. 1
- F20** S. 94A repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

95 Access to documents by Auditor General

^{F21}

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Textual Amendments

F21 S. 95 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

96 Auditor General for Wales: miscellaneous.

F22

Textual Amendments

F22 S. 96 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

[^{F23}96A Reports in public interest

F24

Textual Amendments

F23 [Ss. 96A-96C](#) inserted (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), [ss. 2, 73](#); [S.I. 2005/558](#), art. 2, [Sch. 1](#)

F24 S. 96A repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

96B Certification of claims, returns etc.

F25

Textual Amendments

F23 [Ss. 96A-96C](#) inserted (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), [ss. 2, 73](#); [S.I. 2005/558](#), art. 2, [Sch. 1](#)

F25 S. 96B repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment

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of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

96C Ancillary powers of Auditor General

F26]

Textual Amendments

F23 Ss. 96A-96C inserted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), ss. 2, 73; S.I. 2005/558, art. 2, Sch. 1

F26 S. 96C repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

Financial accountability of Assembly etc.

97 Preparation and audit of Assembly's annual accounts.

F27

Textual Amendments

F27 S. 97 repealed by Government of Wales Act 2006 (c. 32), s. 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

98 Accounting officers.

F28

Textual Amendments

F28 S. 98 repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

99 Accounts of Assembly subsidiaries etc.

F29

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Textual Amendments

F29 S. 99 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

100 Examinations into Assembly’s use of resources.

F30

Textual Amendments

F30 S. 100 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

101 Examinations by Comptroller and Auditor General.

F31

Textual Amendments

F31 S. 101 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

[^{F32}101A Whole of Government of Wales accounts.

F33]

Textual Amendments

F32 S. 101A inserted (22.12.2000 for certain purposes and 1.4.2001 otherwise) by [2000 c. 20, s. 29, Sch. 1 para. 24](#); [S.I. 2000/3349, arts. 2, 3](#)

F33 S. 101A repealed by [Government of Wales Act 2006 \(c. 32\)](#), s. 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and [s. 161\(6\)](#) of the amending Act - see [ss. 46, 161\(1\)\(4\)-\(6\)](#) of the amending Act.

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102 Audit Committee reports.

F34

Textual Amendments

F34 S. 102 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

103 Publication of accounts and audit reports etc.

F35

Textual Amendments

F35 S. 103 repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 161, 163, [Sch. 12](#) (with [Sch. 11](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

Funding of school inspections and forestry in Wales

104 [^{F36}Her Majesty's Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.]

- (1) The provision of funding for [^{F36}Her Majesty's Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru] ("the Chief Inspector") shall be the responsibility of the Assembly.
- (2) What subsection (1) requires of the Assembly is that it shall provide such funding for the Chief Inspector as it considers appropriate.
- (3) In deciding what funding it considers appropriate to provide for the Chief Inspector, the Assembly shall have regard in particular to what it considers the Chief Inspector needs to spend in order to discharge his functions effectively.
- (4) The Assembly shall before the beginning of each financial year consult the Chief Inspector about the funding it is to provide for him in that financial year ^{F37} . . .

[^{F38}(4A) The Assembly shall—

- (a) approve the plan submitted to it under section 87 of the Learning and Skills Act 2000; and
- (b) determine the amount of the funding it is to provide under this section in accordance with the plan as approved by it.

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- (4B) But before it gives its approval under subsection (4A)(a), the Assembly may require the Chief Inspector to modify the plan.]
- (5) But the consultation required by subsection (4) about the funding to be provided for the Chief Inspector in the first financial year in which his funding is the responsibility of the Assembly shall, if it cannot be carried out before the beginning of that financial year, be carried out as soon as is reasonably practicable.
- (6) Schedule 6 (which makes further provision about the Chief Inspector) has effect.

Textual Amendments

- F36** Words in sidenote and s. 104(1) substituted (1.1.2001) by 2000 c. 21, s. 73(3)(a); S.I. 2000/3230, art. 2, Sch.
- F37** Words in s. 104(4) repealed (1.1.2001) by 2000 c. 21, ss. 149, 153, Sch. 9 para. 92(2), Sch. 11; S.I. 2000/3230, art. 2, Sch.
- F38** S. 104(4A)(4B) inserted (1.1.2001) by 2000 c. 21, s. 149, Sch. 9 para. 92(3); S.I. 2000/3230, art. 2, Sch.

Modifications etc. (not altering text)

- C1** S. 104(4) amended (1.1.2001) by 2000 c. 21, s. 87(1); S.I. 2000/3230, art. 2, Sch.

Commencement Information

- I2** S. 104 wholly in force at 1.7.1999; s. 104 not in force at Royal Assent; s. 104(6) in force for certain purposes at 1.5.1999 and s. 104 wholly in force at 1.7.1999 by S.I. 1999/1290, arts. 3, 4

105 Forestry Commissioners.

- (1) The provision of funding for the exercise by the Forestry Commissioners of their functions in relation to Wales shall be the responsibility of the Assembly.
- (2) What subsection (1) requires of the Assembly is that it shall provide such funding as the Assembly considers appropriate for the exercise by the Forestry Commissioners of their functions in relation to Wales.
- (3) In deciding what funding it considers appropriate to provide for the exercise by the Forestry Commissioners of their functions in relation to Wales, the Assembly shall have regard in particular to what it considers those Commissioners need to spend in order effectively to discharge their functions in relation to Wales.
- (4) The Assembly shall before the beginning of each financial year consult the Forestry Commissioners about the funding it is to provide for them in that financial year; and in determining the amount of that funding the Assembly shall take account of the Forestry Commissioners' estimates of—
- (a) what they will need to spend in that financial year in order effectively to discharge their functions in relation to Wales, and
 - (b) the income which they will receive in that financial year and be entitled to apply towards meeting their expenditure on the exercise of their functions in relation to Wales.
- (5) Schedule 7 (which makes further provision about the Forestry Commissioners and the exercise of their functions in relation to Wales) has effect.

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Commencement Information

- I3** S. 105 wholly in force at 14.5.2001; s. 105 not in force at Royal Assent; s. 105(5) in force for certain purposes at 1.4.1999 by S.I. 1999/782, art. 2; s. 105(1)-(4) in force and s. 105(5) in force in so far as not already in force at 14.5.2001 by S.I. 2001/1756, art. 2

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