



Government of Wales Act 1998

1998 CHAPTER 38

PART IV

ASSEMBLY FINANCE

Expenditure by Assembly etc.

85 Expenditure by Assembly

- (1) No expenditure shall be incurred by the Assembly except—
 - (a) in, or in connection with, the exercise of any of the functions of the Assembly, or
 - (b) for a purpose for which expenditure is authorised or required to be incurred by the Assembly by any enactment.
- (2) The ways in which the Assembly may incur expenditure include, in particular, giving financial assistance (whether by way of grant, loan or guarantee) to any person engaged in any activity which the Assembly considers will secure, or help to secure, the attainment of any objective which the Assembly aims to attain in the exercise of any of its functions.
- (3) The Assembly may attach conditions to the giving of financial assistance by the Assembly; and the conditions which may be attached include, in particular, conditions requiring the repayment of the whole or any part of a grant, or the making of any other payments, in any circumstances.

86 Statement of proposed expenditure etc

- (1) The Assembly shall before the beginning of each financial year after the first financial year of the Assembly make a written statement showing—
 - (a) the total amount of the expenditure which it proposes to incur for the financial year, and
 - (b) on what it proposes to incur that expenditure.

- (2) The statement shall also show—
- (a) the total amount of the payments which the Assembly expects will be made by the Secretary of State for the financial year under section 80(1),
 - (b) the total amount of any other payments which the Assembly expects will be made to the Assembly for the financial year by Ministers of the Crown and government departments, and
 - (c) the total amount of the payments which the Assembly expects will be made to the Assembly for the financial year otherwise than by a Minister of the Crown or government department.
- (3) The statement shall also—
- (a) show the total amount of any basic credit approvals which the Assembly has issued, or expects to issue, for the financial year under section 53 of the Local Government and Housing Act 1989, and
 - (b) include such other information as the Assembly considers appropriate (including, in particular, information relating to amounts of any supplementary credit approvals which the Assembly has issued, or expects to issue, under section 54 of that Act).
- (4) A statement under this section shall be published by the Assembly as soon after being made as is reasonably practicable.

87 National Loans Fund lending

- (1) This section applies where—
- (a) a power of a Minister of the Crown to lend money is transferred to the Assembly by an Order in Council under section 22, and
 - (b) any sums required for the exercise of the power are issued out of the National Loans Fund.
- (2) The rate of interest on any loan made by the Assembly in the exercise of the power shall be not less than the lowest rate determined by the Treasury under section 5 of the National Loans Act 1968 in respect of similar loans made out of the National Loans Fund on the day the loan is made.
- (3) The provision for the issue of the sums shall, so far as relating to the issue of sums required for the exercise of the power by the Assembly, have effect as provision for the issue of the sums to the Secretary of State and for imposing a duty on him to pay them to the Assembly.
- (4) If, before the power is transferred, any repayment of, or payment of interest on, any loan made in the exercise of the power is required to be made to a Minister of the Crown for payment by him into the National Loans Fund, any such repayment or payment made after the transfer shall be made to the Assembly and the Assembly shall then pay it to the Secretary of State for payment by him into that Fund.
- (5) Subsection (4) applies in relation to loans made, before the transfer, by the Minister of the Crown as well as to loans made, after the transfer, by the Assembly.

88 Accounts relating to funds paid to Assembly for lending

- (1) The Secretary of State shall for each financial year prepare accounts in such form and manner as the Treasury may direct of—

- (a) relevant loan funds paid by him to the Assembly, and
 - (b) sums paid to him by the Assembly which are repayments of, or payments of interest on, loans made out of relevant loan funds.
- (2) In subsection (1) “relevant loan funds” means sums which are—
 - (a) issued to the Secretary of State out of the National Loans Fund,
 - (b) paid by him to the Assembly, and
 - (c) lent by the Assembly in exercise of a power to lend money.
- (3) The Secretary of State shall send accounts under subsection (1) relating to a financial year to the Comptroller and Auditor General no later than five months after the end of the financial year.
- (4) The Comptroller and Auditor General shall—
 - (a) examine, certify and report on accounts sent to him under subsection (3), and
 - (b) lay copies of the accounts, together with his report, before each House of Parliament.

89 Source of sums paid by Assembly

Any enactment which—

- (a) charges the payment of any sum on the Consolidated Fund or requires or authorises the payment of any sum from that Fund, or
- (b) requires or authorises the payment of any sum out of money provided by Parliament,

shall cease to have effect in so far as that sum is payable by the Assembly.