

Status: Point in time view as at 19/09/2000.

Changes to legislation: Government of Wales Act 1998, SCHEDULE 11 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

Section 113.

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 by the Assembly.
- (2) Appointments to membership of the Partnership Council shall be made as soon as is reasonably practicable after each ordinary election but in any event so that a meeting of the Partnership Council can be held as required by paragraph 5(2).
- (3) The Assembly may at any time make an appointment to fill a casual vacancy in the membership of the Partnership Council.
- (4) The Assembly may not delegate the function of appointing members of the Partnership Council.

- 2 (1) The Assembly shall appoint as members of the Partnership Council—
 - (a) such number of Assembly members, and
 - (b) such number of members of local authorities in Wales,as the Assembly considers appropriate.
- (2) The number of members of the Partnership Council who have been appointed under paragraph (a) of sub-paragraph (1) shall at no time exceed the number who have been appointed under paragraph (b) of that sub-paragraph (unless the excess is due to casual vacancies which are temporarily unfilled).
- (3) A member of an authority within paragraph (b), (c), (d) or (e) of subsection (7) of section 113 may only be appointed under sub-paragraph (1)(b) if he is also a member of an authority within paragraph (a) of that subsection.
- (4) A person may not be appointed under sub-paragraph (1)(b) if he is also an Assembly member.

Consultation about membership of Partnership Council

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

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- (a) local authorities in Wales, and
 - (b) associations of local authorities in Wales,
- about the membership of the Partnership Council.
- (2) The consultation required by sub-paragraph (1) shall include consultation about—
- (a) the number of persons to be appointed under paragraph (a) of sub-paragraph (1) of paragraph 2,
 - (b) the number of persons to be appointed under paragraph (b) of that sub-paragraph, and
 - (c) in relation to each of the descriptions of authorities within paragraphs (b), (c), (d) and (e) of section 113(7), the number of members of an authority of that description to be appointed.
- (3) When consulting authorities and associations under sub-paragraph (1), the Assembly shall invite them to make, within a period specified by the Assembly, nominations of persons for appointment to membership of the Partnership Council under paragraph 2(1)(b).
- (4) The appointments shall be made from among those nominated in accordance with the invitation except to the extent that the number of persons so nominated is insufficient to produce the number of members required.
- (5) Where a casual vacancy arises among the members of the Partnership Council appointed under paragraph 2(1)(b), the Assembly shall invite—
- (a) such local authorities in Wales, and
 - (b) such associations of local authorities in Wales,
- as the Assembly considers appropriate to make, within a period specified by the Assembly, nominations of persons for appointment under paragraph 2(1)(b) to fill the vacancy.
- (6) The appointment to fill the vacancy shall be made from among those nominated in accordance with the invitation unless no-one is so nominated.
- (7) Where, pursuant to sub-paragraph (4) or (6), the Assembly appoints as a member of the Partnership Council under paragraph 2(1)(b) a person nominated by an authority or association, the Assembly shall notify the authority or association of the appointment.

Cessation of membership of Partnership Council

- 4 (1) Subject to the following provisions of this paragraph, a person appointed as a member of the Partnership Council shall remain a member until the end of the day before the ordinary election following his appointment.
- (2) A person appointed as a member of the Partnership Council may resign at any time.
- (3) A person appointed as a member of the Partnership Council under paragraph (a) of sub-paragraph (1) of paragraph 2 shall cease to be a member if—
- (a) he ceases to be an Assembly member, or
 - (b) he is removed from membership of the Partnership Council by the Assembly.

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- (4) A person appointed as a member of the Partnership Council under paragraph (b) of that sub-paragraph shall cease to be a member if he ceases to be eligible for appointment under that paragraph.
- (5) Where the appointment of a person as a member of the Partnership Council under that paragraph was notified under paragraph 3(7) to an authority or association—
 - (a) the authority or association may require the Assembly to remove him from membership, and
 - (b) he shall cease to be a member on being removed from membership by the Assembly in compliance with that requirement.
- (6) A person—
 - (a) whose appointment as a member of the Partnership Council was notified under paragraph 3(7) to an authority within paragraph (b), (c), (d) or (e) of subsection (7) of section 113, and
 - (b) who was, on appointment, a member of the authority,shall cease to be a member of the Partnership Council if he ceases to be a member of the authority (even though he remains a member of an authority within paragraph (a) of that subsection).
- (7) The Assembly may not delegate the function of removing a person from membership of the Partnership Council under sub-paragraph (3)(b) or (5)(b).

Procedure of Partnership Council

- 5 (1) The Partnership Council must meet at least once a year.
- (2) The first meeting of the Partnership Council after each ordinary election must be held within the period of six months beginning with the day on which the poll at the ordinary election is held.
- (3) Subject to sub-paragraphs (1) and (2), the procedure of the Partnership Council shall be regulated by standing orders made by the Assembly.
- (4) The Assembly shall consult—
 - (a) local authorities in Wales, and
 - (b) associations of local authorities in Wales,before making, or remaking or revising, the standing orders of the Partnership Council.
- (5) The standing orders of the Partnership Council may provide for the Partnership Council to establish committees.
- (6) The members of any committee established by the Partnership Council shall be elected by the Partnership Council from among its members so as to secure that the number of its members who were appointed to the Partnership Council under paragraph (a) of sub-paragraph (1) of paragraph 2 does not exceed the number who were so appointed under paragraph (b) of that sub-paragraph.

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PART II

THE LOCAL GOVERNMENT SCHEME

- 6 The Assembly shall keep the local government scheme under review and in the year following each ordinary election (after the first) shall consider whether it should be remade or revised.
- 7 The Assembly may not delegate the function of making, or remaking or revising, the local government scheme.
- 8 The Assembly shall publish the local government scheme when first made and whenever subsequently remade and, if the scheme is revised without being remade, shall publish either the revisions or the scheme as revised (as it considers appropriate).
- 9 After each financial year the Assembly shall publish a report of how its proposals as set out in the local government scheme were implemented in that financial year.

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