



# Localism Act 2011

## 2011 CHAPTER 20

### PART 3

#### EU FINANCIAL SANCTIONS: WALES

#### **61 Meaning of “Welsh public authority” and related terms**

- (1) Subsections (2) to (5) define various terms used in this Part.
- (2) “Welsh public authority” means—
  - (a) a council of a county or county borough in Wales; or
  - (b) any other person or body which has any Welsh devolved functions.
- (3) References to functions are to functions of a public nature.
- (4) References to Welsh devolved functions are to functions which are exercisable in relation to Wales and could be conferred by provision falling within the legislative competence of the National Assembly for Wales as defined in section 108 of the Government of Wales Act 2006.
- (5) The “appropriate national authority”, in relation to a Welsh public authority with any functions other than Welsh devolved functions, means the following national authority or authorities (according to whichever one or more of the following paragraphs apply to that Welsh public authority)—
  - (a) a Minister of the Crown, if the Welsh public authority has any functions which are not devolved functions;
  - (b) the Scottish Ministers, if the Welsh public authority has any Scottish devolved functions; and
  - (c) the relevant Northern Ireland Department, if the Welsh public authority has any Northern Ireland devolved functions.
- (6) In subsection (5)(a) “devolved functions” means—
  - (a) Welsh devolved functions;
  - (b) Scottish devolved functions; or

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*Status: This is the original version (as it was originally enacted).*

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(c) Northern Ireland devolved functions.

(7) In subsections (5) and (6)—

“Northern Ireland devolved functions” means functions which could be conferred by provision included in an Act of the Northern Ireland Assembly made without the consent of the Secretary of State (see sections 6 to 8 of the Northern Ireland Act 1998);

“Scottish devolved functions” means functions the exercise of which would be within devolved competence (within the meaning of section 54 of the Scotland Act 1998).