
WELSH STATUTORY INSTRUMENTS

2002 No. 802

**The Local Authorities (Executive Arrangements)
(Discharge of Functions) (Wales) Regulations 2002**

Joint exercise of functions

11.—(1) Arrangements made under section 101(5) of the 1972 Act by a person on whom the power to do so is conferred by regulation 3, 4 or 5 above must be made in accordance with this regulation.

(2) The arrangements must be made—

- (a) where the functions to which the arrangements relate are the responsibility of the executive of the other local authority concerned, with the person who, by virtue of regulation 3, 4 or 5 above, has power to make such arrangements on behalf of that authority;
- (b) in any other case, with the other local authority.

(3) If the arrangements provide for the discharge of functions by a joint committee, appointments of the persons who are to represent each local authority on that committee must be made, and the number of such persons to be appointed must be determined by the person by whom the arrangements are made on behalf of that authority.

(4) A joint committee appointed in accordance with this regulation may, subject to the terms of the arrangements and unless the relevant person in relation to the local authority whose functions are the subject of the arrangements directs otherwise, arrange for the discharge of any of its functions by a sub-committee or an officer of one of the authorities concerned, and any such sub-committee may, subject to the terms of the arrangements and unless the joint committee or the relevant person in relation to the local authority whose functions are the subject of the arrangements directs otherwise, arrange for the discharge of any of its functions by such an officer.

(5) Any arrangements made in accordance with this regulation by a person specified in regulation 3, 4 or 5 above for the discharge of any functions by a joint committee are not to prevent that person from exercising those functions.

(6) Where arrangements made on behalf of a local authority in accordance with this regulation by a person specified in regulation 3, 4 or 5 above provide for the appointment to a joint committee of persons who are not members of the executive of that authority, that person must, as soon as reasonably practicable after making the arrangements, secure that copies of a document setting out the provisions of the arrangements are available at the authority's principal office for inspection by members of the public at all reasonable hours.

(7) A person preparing the document referred to in paragraph (6) above shall have regard to any guidance issued by the National Assembly for Wales under section 38 of the 2000 Act.

(8) The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001(1) shall apply to a meeting of a joint committee—

- (a) which is established by arrangements made in accordance with this regulation only by executives, members of executives or committees of executives where all of the executives concerned hold their meetings in private; and

(b) in which no member is a member of one of the local authorities concerned but is not a member of the executive of that authority,

as if meetings of that joint committee were private meetings of a committee of a local authority executive, unless all of those executives agree otherwise.

(9) Except as described in paragraph (8) above, Part VA of the 1972 Act (access to meetings and documents of certain authorities, committees and sub-committees) shall apply to a joint committee established in accordance with this regulation.

Commencement Information

11 Reg. 11 in force at 1.4.2002, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2002, Section 11.