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WELSH STATUTORY INSTRUMENTS

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**2002 No. 803**

**The Local Authorities (Executive Arrangements) (Modification of Enactments and Further Provisions) (Wales) Order 2002**

**Voting rights of members of joint committees**

**6.—**(1) In section 13 of the 1989 Act<sup>(1)</sup> (voting rights of members of certain committees: England and Wales)—

(a) after subsection (5), there shall be inserted—

“(5A) Nothing in this section shall prevent the appointment of a council manager of a local authority, or one other officer of that local authority in that person’s place, as a voting member of a joint committee, or a sub-committee of such a committee, where—

(a) that local authority have a mayor and council manager executive<sup>(2)</sup>; and

(b) the joint committee or the sub-committee has been appointed for the purpose of discharging functions which, as respects that local authority, are the responsibility of that executive.”; and

(b) in subsection (9), after the words “In this section -”, there shall be inserted—

““council manager”, “executive” and “mayor and council manager executive” have the same meaning as in Part II of the Local Government Act 2000 (arrangements with respect to executives etc.); and”.

(2) In paragraph 3 of Schedule 1 to the 2000 Act (executive arrangements: further provision (Mayor and council manager executives))—

(a) in sub-paragraph (10), for the words “sub-paragraph (11)”, there shall be substituted the words “sub-paragraphs (11) and (12A)”;

(b) after sub-paragraph (12), there shall be inserted—

“(12A) The council manager of a local authority is entitled to vote at a meeting of a joint committee, or sub-committee of such a committee, if—

(a) that joint committee or sub-committee has been appointed for the purpose of discharging functions which, as respects that local authority, are the responsibility of the executive of the local authority; and

(b) the council manager is a member of that joint committee or sub-committee.”.

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(1) Section 13(9) was amended by paragraph 36 of Schedule 4 to the Police and Magistrates' Courts Act 1994 (c. 29) and paragraph 96(5) of Schedule 37 and Part 1 of Schedule 38 to the Education Act 1996 (c. 56). There are other amendments to section 13 not relevant to this Order.

(2) See regulations 11 and 12 of the Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2001 (S.I.2001/2287 (W.175)).