
WELSH STATUTORY INSTRUMENTS

2002 No. 808

The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002

Members of the executive

40.—(1) Where a member of an executive of a local authority ceases to be a councillor, in the case of a mayor and cabinet executive or leader and cabinet executive, that person shall at the same time cease to be a member of the executive.

(2) Where a councillor is appointed by an elected mayor as a member of a mayor and cabinet executive—

- (a) subject to sub-paragraph (b), unless the councillor resigns as a member of the executive or ceases to be a councillor, that person shall hold office until the end of the term of office of the elected mayor;
- (b) the elected mayor may remove that person if the elected mayor thinks fit.

(3) Where a councillor is appointed by an executive leader as a member of a leader and cabinet executive—

- (a) subject to sub-paragraph (b), unless the councillor resigns as a member of the executive or ceases to be a councillor, if the end of the term of office of the executive leader is provided for in executive arrangements, the councillor shall hold office until the end of that term;
- (b) the executive leader may remove that person if the executive leader thinks fit.

(4) Where, under the executive arrangements of a leader and cabinet executive, the authority determine the number of councillors who may be appointed to the executive under section 11(3)(b) of the Local Government Act 2000⁽¹⁾, and the executive leader appoints the councillors to the executive, the executive leader shall—

- (a) appoint to the executive the number of councillors so determined; and
- (b) where a councillor ceases to be a member of the executive before the end of the term of office of the executive leader, appoint another councillor to the executive to replace the councillor who has ceased to be a member.

Commencement Information

II Art. 40 in force at 1.4.2002, see [art. 1\(1\)](#)

⁽¹⁾ See paragraph 2(3)(a) of Schedule 1 to the Local Government Act 2000.

Changes to legislation:

There are currently no known outstanding effects for the The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002, Section 40.