

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This is the second commencement Order made by the Welsh Ministers under the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”).

Article 2 of this Order brings the following provisions of the 2021 Act into force on 1 April 2021, so far as they are not already in force—

- (a) sections 89 to 91 and 95 to 115 (performance of principal councils), including Schedule 10 (consequential amendments relating to governance and audit committees);
- (b) Chapter 3 of Part 6 (coordination between regulators);
- (c) Part 7 (mergers and restructuring of principal areas), including Schedule 1 (initial review of electoral arrangements), except for the provisions which are to come into force on 6 May 2022 in accordance with section 175(6)(b) of the 2021 Act, Schedule 11 (transition committees of merging and restructuring councils) and Schedule 12 (restraints on transactions and recruitment etc. by merging and restructuring councils);
- (d) section 159 (information sharing between regulators, the Auditor General for Wales and the Welsh Ministers);
- (e) section 169 (disapplication of the Local Government (Wales) Measure 2009 (“the 2009 Measure”) in relation to National Park authorities).

Article 3 brings the following provisions of the 2021 Act into force on 5 May 2022—

- (a) sections 92 and 93 (panel performance assessments);
- (b) Chapter 2 of Part 6 (membership and proceedings of governance and audit committees).

Articles 4 to 9 contain saving provisions relating to the commencement of sections 113 (disapplication of the 2009 Measure to principal councils) and 169 of the 2021 Act.

Article 4 includes saving provisions relating to the disapplication of the 2009 Measure to principal councils, so that the exercise of certain functions and other things done under the 2009 Measure continue to have effect following the commencement of section 113 of the 2021 Act.

Article 5 includes saving provisions relating to sections 33 (information sharing) and 34 (use of information by regulators) of the 2009 Measure.

Article 6 includes saving provisions relating to the disapplication of the 2009 Measure to National Park authorities, so that the exercise of certain functions and other things done under the 2009 Measure continue to have effect following the commencement of section 169 of the 2021 Act.

Article 7 includes saving provisions relating to section 26 (inspectors’ powers and duties) of the 2009 Measure.

Article 8 includes saving provisions relating to guidance issued by the Welsh Ministers under sections 15(8) (publication of improvement information) and 21(9) (special inspections) of the 2009 Measure.

Article 9 provides that the commencement of sections 113 and 169 of the 2021 Act has no effect in relation to an offence committed under section 26(9) (where a person, without reasonable excuse, obstructs the exercise of any power of an inspector or fails to comply with a requirement of an inspector) before 1 April 2021.