
EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 1 of these Regulations introduces Schedule 1 which makes provision about the standards of conduct that apply to members, co-opted participants and employees of corporate joint committees.

Paragraph 1 of Schedule 1 refers to the code of conduct that relevant authorities must adopt under the Local Government Act 2000 (c 22). It provides that where a member or co-opted participant of a corporate joint committee is a member or a co-opted member of a relevant authority under the Local Government Act 2000, the code of conduct of their authority applies to them as though they had been appointed to the corporate joint committee by their authority.

Paragraph 2 of Schedule 1 refers to the code of conduct for employees of relevant authorities which is also made under the Local Government Act 2000. It provides that this code applies to employees of corporate joint committees as it applies to employees of relevant authorities within the meaning given by that Act.

Part 2 of these Regulations introduces Schedule 2 which makes provision about accounts and finance of corporate joint committees.

Paragraph 1 of Schedule 2 provides that Part 1 of the Local Government Act 2003 applies to corporate joint committees as it applies to local authorities.

Part 1 of the 2003 Act makes provision about the financial management of local authorities and related public bodies, including in particular, provision about capital finance and accounting practices.

Paragraph 2 of Schedule 2 provides that the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 apply to corporate joint committees as they apply to local authorities. The 2003 Regulations make further, more detailed, provision about the matters contained in Part 1 of the Local Government Act 2003.

Schedule 3 makes general amendments to other enactments.

Paragraph 1 of Schedule 3 amends section 1 of the Local Authorities (Goods and Services) Act 1970 (c. 39) with the effect that corporate joint committees may enter into certain agreements for goods and services with another authority to which that section applies in relation to trading operations.

Paragraph 2 of Schedule 3 amends section 59 of the Equality Act 2010 (c. 15) with the effect that the protections against discrimination, harassment and victimisation set out in section 58 of that Act apply to a member of a corporate joint committee carrying out official business as such a member.

Paragraph 3 of Schedule 3 amends paragraph 1 of Schedule 20 to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017. That paragraph provides that no land transaction tax is charged on a land transaction between public bodies which arises as a result of a reorganisation provided for in legislation. The amendment ensures that corporate joint committees are treated as public bodies for the purposes of that tax relief.

These Regulations are connected with Regulations which establish certain corporate joint committees under Part 5 of the Local Government and Elections (Wales) Act 2021. The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the Regulations which establish corporate joint committees and connected regulations. As a result a regulatory impact assessment has been prepared. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

Changes to legislation:

There are currently no known outstanding effects for the The Corporate Joint Committees (General) (Wales) Regulations 2021.