

WELSH STATUTORY INSTRUMENTS

**2021 No. 343**

The South East Wales Corporate  
Joint Committee Regulations 2021

PART 3

Membership

**Membership**

6.—(1) The members of the South East Wales CJC are—

- (a) the 10 council members, <sup>F1</sup>...
- (b) the Brecon Beacons member [<sup>F2</sup>, and]
- <sup>F3</sup>(c) any co-opted member.]

(2) The members are entitled to vote in relation to any matter to be decided by the South East Wales CJC [<sup>F4</sup>, subject to regulations 8(2A) and 9(2)]

<sup>F5</sup>(3) .....

(4) References in these Regulations, and in any other enactment, to a member of the South East Wales CJC (however expressed) include the Brecon Beacons member [<sup>F6</sup>and any co-opted member], unless—

- (a) express provision is made to the contrary, or
- (b) the context requires otherwise.

**Textual Amendments**

- F1** Word in reg. 6(1)(a) omitted (3.12.2021) by virtue of The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(3)(a)(i)**
- F2** Word in reg. 6(1)(b) inserted (3.12.2021) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(3)(a)(ii)**
- F3** Reg. 6(1)(c) inserted (3.12.2021) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(3)(a)(iii)**
- F4** Words in reg. 6(2) inserted (3.12.2021) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(3)(b)**
- F5** Reg. 6(3) omitted (3.12.2021) by virtue of The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(3)(c)**
- F6** Words in reg. 6(4) substituted (3.12.2021) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(3)(d)**

**Commencement Information**

- I1** Reg. 6 in force at 1.4.2021, see **reg. 1(2)**

## Council members

7.—(1) In the case of each constituent council—

- (a) the executive leader, where the constituent council operates a leader and cabinet executive;
- (b) the elected mayor, where the constituent council operates a mayor and cabinet executive,

is the council member of the South East Wales CJC.

[<sup>F7</sup>(2) Where a person who is a council member under paragraph (1) (“P”) is suspended or is unable to act as a council member for any period, the constituent council of which P is a member may appoint a member of its executive as a substitute member of the South East Wales CJC for that period.

(2A) For the purposes of these Regulations (other than this regulation), and any other enactment, a substitute member appointed under paragraph (2) is to be treated as a council member of the South East Wales CJC.

(2B) But the substitute member is not entitled to vote, or otherwise act as a council member, in relation to the discharge of any function of the South East Wales CJC in relation to which P is able to vote or act.

(2C) In paragraph (2) “suspended” means—

- (a) suspended or partially suspended under Part 3 of the Local Government Act 2000 as a member of the South East Wales CJC, or
- (b) partially suspended under Part 3 of the Local Government Act 2000 as a member of the constituent council of which P is also a member.]

(3) Where a constituent council has a vacancy in an office referred to in paragraph (1), the constituent council must appoint another member of its executive as the council member of the South East Wales CJC until such time as the vacancy is filled.

### Textual Amendments

**F7** Reg. 7(2)-(2C) substituted for reg. 7(2) (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), 7(2)

### Commencement Information

**I2** Reg. 7 in force at 1.4.2021, see [reg. 1\(2\)](#)

## Brecon Beacons member

8.—(1) The Brecon Beacons National Park Authority (“the Authority”) must appoint an office-holder mentioned in paragraph (2) as a member of the South East Wales CJC (“the Brecon Beacons member”).

(2) The office-holders who are eligible to be the Brecon Beacons member are—

- (a) the chairman of the Authority,
- (b) the deputy chairman of the Authority, or
- (c) the chairperson of a committee with responsibility for planning matters as may be established by the Authority.

[<sup>F8</sup>(2A) The Brecon Beacons member may act as a member only in relation to—

- (a) the functions conferred on the South East Wales CJC under regulation 13;
- (b) any function of the South East Wales CJC that is ancillary or incidental to those functions.

(2B) But the Brecon Beacons member may also act as a member in relation to any other function of the South East Wales CJC if—

- (a) the council members and the Brecon Beacons member agree [<sup>F9</sup>unanimously], or
- (b) the Brecon Beacons member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.

(2C) An agreement under paragraph (2B)(a) must specify the terms on which the Brecon Beacons member may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member is to act.]

[<sup>F10</sup>(3) Where a person who is the Brecon Beacons member under paragraph (1) (“P”) is suspended or is unable to act as the Brecon Beacons member for any period, the Authority may appoint another of the office-holders mentioned in paragraph (2) as a substitute member of the South East Wales CJC for that period.

(4) For the purposes of these Regulations (other than this regulation), and any other enactment, a substitute member appointed under paragraph (3) is to be treated as the Brecon Beacons member of the South East Wales CJC.

(5) But the substitute member is not entitled to vote, or otherwise act as the Brecon Beacons member, in relation to the discharge of any function of the South East Wales CJC in relation to which P is able to vote or act.

(6) In paragraph (3) “suspended” means—

- (a) suspended or partially suspended under Part 3 of the Local Government Act 2000 as a member of the South East Wales CJC, or
- (b) partially suspended under Part 3 of the Local Government Act 2000 as a member of the Brecon Beacons National Park Authority.]

#### Textual Amendments

- F8** Reg. 8(2A)-(2C) inserted (3.12.2021) by The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (S.I. 2021/1349), regs. 1(2), **36(5)(a)**
- F9** Word in reg. 8(2B)(a) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **41(3)**
- F10** Reg. 8(3)-(6) substituted for reg. 8(3) (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **7(3)**

#### Commencement Information

- I3** Reg. 8 in force at 1.4.2021, see **reg. 1(2)**

#### [<sup>F11</sup>Co-opted participants

9.—(1) The South East Wales CJC may co-opt one or more individuals as members of the South East Wales CJC (a “co-opted member”) on such terms as it determines.

(2) Those terms must—

- (a) specify—
  - (i) the functions of the South East Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
  - (ii) any function of the South East Wales CJC that is ancillary or incidental to those functions,

- (b) be agreed by the co-opted member and the other members [<sup>F12</sup>entitled to vote on the decision], and
- (c) be set out in a co-option agreement.
- (3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—
  - (a) the functions conferred on the South East Wales CJC under regulation 13, and
  - (b) any function of the South East Wales CJC that is ancillary or incidental to those functions,
 the Brecon Beacons member may act as a member for the purposes of that paragraph.
- (4) A co-opted member is co-opted—
  - (a) for a period specified in the co-option agreement, or
  - (b) until—
    - (i) the co-opted member resigns from the South East Wales CJC, or
    - (ii) the South East Wales CJC terminates the co-option.
- (5) A co-option agreement—
  - (a) may be varied at any time;
  - (b) must be published electronically by the South East Wales CJC.]

#### Textual Amendments

- F11** Reg. 9 substituted (3.12.2021) by [The Corporate Joint Committees \(General\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/1349\)](#), regs. 1(2), **36(6)**
- F12** Words in reg. 9(2)(b) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **41(4)**

#### Commencement Information

- I4** Reg. 9 in force at 1.4.2021, see [reg. 1\(2\)](#)

### [<sup>F13</sup>Disqualification for being a co-opted member

**9A.**—(1) A person is disqualified for being co-opted as a member of the South East Wales CJC if the person—

- (a) holds a paid office or employment, appointment or election to which is or may be made or confirmed by—
  - (i) the South East Wales CJC;
  - (ii) a sub-committee of the South East Wales CJC;
  - (iii) a holder of a paid office or employment of the kind described in paragraph (i) or (ii), or
- (b) is disqualified under section 80B of the Local Government Act 1972 for being a member of—
  - (i) a constituent council;
  - (ii) the Brecon Beacons National Park Authority.

(2) Paragraph (1) does not apply to a person who is disqualified for being a member of a corporate joint committee under section 1 of the Local Government and Housing Act 1989 (disqualification by virtue of holding politically restricted post).]

---

**Textual Amendments**

**F13** Reg. 9A inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **41(5)**

**Job sharing**

**10.** Where an office referred to in—

- (a) regulation 7(1), or
- (b) regulation 8(2),

is shared by 2 or more persons, those persons are to be treated as if they were 1 person for the purposes of these Regulations.

---

**Commencement Information**

**I5** Reg. 10 in force at 1.4.2021, see **reg. 1(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the The South East Wales Corporate Joint Committee Regulations 2021, PART 3.