



Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

PART 2

LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES

Staff, experts and assistant commissioners

8 Chief executive

- (1) The Commission must employ a chief executive.
- (2) The chief executive is to be appointed by the [^{F1}Commission] on such terms and conditions as [^{F2}it] may determine (including conditions as to remuneration, pension, allowances and expenses).
- [^{F3}(2A) But if the office of chief executive has been vacant for more than six months, the Welsh Ministers may appoint a chief executive on such terms and conditions as they may determine (including conditions as to remuneration, pension, allowances and expenses).]
- (3) Before appointing a chief executive [^{F4}under subsection (2A),] the Welsh Ministers must consult the Commission.
- [^{F5}(4) The chief executive may not be—
 - (a) a member of Parliament;
 - (b) a Member of the Senedd;
 - (c) a member of a local authority;
 - (d) an officer of a local authority;
 - (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales.

Status: Point in time view as at 01/04/2021.

Changes to legislation: Local Government (Democracy) (Wales) Act 2013, Cross Heading: Staff, experts and assistant commissioners is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) The Commission must, in exercising its functions under this section, have regard to any guidance issued by the Welsh Ministers.]

Textual Amendments

- F1** Word in s. 8(2) substituted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(2\)\(a\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F2** Word in s. 8(2) substituted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(2\)\(b\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F3** S. 8(2A) inserted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(3\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F4** Words in s. 8(3) inserted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(4\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F5** S. 8(4)(5) inserted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(5\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)

9 Other staff

- (1) The Commission may employ staff.
- (2) Staff are to be employed on terms and conditions determined by the Commission (including conditions as to remuneration, pension, allowances and expenses).
- (3) The Commission must consult the Welsh Ministers before determining the amounts payable to its staff in respect of remuneration, pensions, allowances and expenses.

10 Experts

- (1) The Commission may appoint a person (an “expert”) to assist it in the exercise of its functions.
- (2) Before appointing an expert the Commission must consult the Welsh Ministers.
- (3) An appointment under subsection (1) may not be made unless the Commission is satisfied that the expert has knowledge, experience or expertise relevant to the exercise of its functions.
- (4) The Commission may pay the expert such remuneration, allowances or expenses as it may determine.
- (5) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to an expert.

11 Assistant commissioners

- (1) The Commission may appoint a person (an “assistant commissioner”) to whom, for the purposes of section 13, it may delegate functions.
- (2) But the Commission may not appoint a person who is—
 - (a) a member of Parliament;
 - (b) a member of the National Assembly for Wales;
 - (c) a member of a local authority ^{F6}...;

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- (d) an officer of a local authority ^{F7}...;
 - (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales; or
 - (g) a member of the Commission's staff.
- (3) Before appointing an assistant commissioner the Commission must consult the Welsh Ministers.
- (4) The Commission may pay an assistant commissioner such remuneration, allowances or expenses as it may determine.
- (5) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to an assistant commissioner.

Textual Amendments

- F6** Words in s. 11(2)(c) omitted (1.4.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 163(6)**, 175(7); S.I. 2021/231, reg. 3(a)
- F7** Words in s. 11(2)(d) omitted (1.4.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 163(6)**, 175(7); S.I. 2021/231, reg. 3(a)

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