



Local Government (Wales) Measure 2011

2011 nawm 4

PART 8

MEMBERS: PAYMENTS AND PENSIONS

Reports by the Panel

145 Annual reports

- (1) The Panel must publish a report (an “annual report”) about the exercise of its functions with respect to each financial year.
- (2) An annual report may impose requirements (including, amongst other things, requirements to make payments) on relevant authorities.

146 First annual report

- (1) The first financial year for which the Panel must publish an annual report under section 145 is the financial year beginning 1 April 2012.
- (2) The report for that financial year (“the first annual report”) must be published no later than 31 December 2011.
- (3) The first annual report must specify—
 - (a) the relevant matters,
 - (b) the amounts set under section 142(3),
 - (c) the proportion determined under section 142(4),
 - (d) the members of relevant authorities to or in respect of whom relevant authorities will be required to pay a relevant pension, and
 - (e) the relevant matters in respect of which a relevant pension is payable.
- (4) After publishing the first annual report but before publishing the second annual report, the Panel may publish one or more supplementary reports.

Status: This is the original version (as it was originally enacted).

- (5) A supplementary report under this section may vary the provision made in the first annual report for the purposes of subsection (3)(a), (b), (c), (d) or (e).
- (6) In preparing a supplementary report under this section, the Panel must take into account—
 - (a) the first annual report and any supplementary reports relating to it, and
 - (b) the representations the Panel received about the reports referred to in paragraph (a).
- (7) Before publishing the first annual report or a supplementary report under this section, the Panel must—
 - (a) send a draft to
 - (i) the Welsh Ministers,
 - (ii) those relevant authorities which are required or authorised by the Panel to make payment to their members in respect of relevant matters, and
 - (iii) such other persons as the Panel considers appropriate,
 and,
 - (b) take into account the representations it receives about the draft.
- (8) The provisions of the first annual report or a supplementary report under this section come into force on the date specified for that purpose in the report; but the report may not specify a date earlier than the last day of the period of three months beginning with the day after the date of publication.

147 Subsequent annual reports

- (1) This section applies in relation to annual reports after the first annual report.
- (2) An annual report must be published no later than—
 - (a) 31 December in the financial year preceding that to which the report relates, or
 - (b) such later date as the Panel and the Welsh Ministers may agree.
- (3) An annual report must specify—
 - (a) by reference to the amount having effect for each relevant matter, such rate or index as is set under section 142(6), and
 - (b) the descriptions of members of relevant authorities to or in respect of whom relevant authorities will be required to pay a relevant pension.
- (4) An annual report may vary the provision made in the first annual report for the purposes of section 146(3)(a), (b), (c), (d) or (e).
- (5) After publishing an annual report but before publishing the next annual report, the Panel may publish one or more supplementary reports.
- (6) A supplementary report under this section may—
 - (a) vary the provision made in the annual report to which the supplementary report relates for the purposes of subsection (3)(a) or (b) (and may make provision for those purposes to the extent that the annual report does not);
 - (b) vary the provision made in the first annual report for the purposes of section 146(3)(a), (b), (c), (d) or (e) (or that provision as varied by virtue of subsection (4)).

- (7) In preparing an annual report or a supplementary report under this section, the Panel must take into account—
- (a) the previous annual report and any supplementary reports relating to it;
 - (b) the representations the Panel received about the reports referred to in paragraph (a).
- (8) Before publishing an annual report or a supplementary report under this section, the Panel must—
- (a) send a draft to the
 - (i) Welsh Ministers,
 - (ii) those relevant authorities which are required or authorised by the Panel to make payment to their members in respect of relevant matters, and
 - (iii) such other persons as the Panel considers appropriate,and,
 - (b) take into account the representations the Panel receives about the draft.
- (9) The provisions of an annual report or a supplementary report under this section come into force on the date specified for that purpose in the report; but no report may specify a date earlier than the last day of the period of three months beginning with the day after the date of publication.

148 Consultation on draft reports

- (1) The Panel must not publish an annual report or a supplementary report before the end of the period of eight weeks beginning with the day on which it sends a draft of the report in accordance with section 146 or 147.
- (2) The Panel must, when it sends a draft of a report in accordance with either of those sections, place an electronic copy of the draft on its website.

149 Directions to vary draft reports

- (1) The Welsh Ministers may direct the Panel to reconsider a provision of a draft report.
- (2) A direction under this section must specify—
- (a) the provision,
 - (b) the reason for giving the direction, and
 - (c) the date by which the Welsh Ministers require the Panel to respond.
- (3) The Panel—
- (a) must respond to the direction no later than the date specified for the purposes of subsection (2)(c);
 - (b) may not publish the report before having responded to the direction.
- (4) If the Panel decides not to vary the draft in accordance with the direction, it must specify in its response the reason for its decision.

150 Administrative requirements in reports

- (1) An annual report may impose on relevant authorities requirements for avoiding—

Status: This is the original version (as it was originally enacted).

- (a) duplication of payments made in respect of relevant matters;
 - (b) duplication as relevant matters of matters relating to the official business of members.
- (2) For the purposes of a case where a member of a relevant authority does something which relates to another relevant authority (as well as the authority to which the member belongs), and for which a payment in respect of a relevant matter must be made to the member, an annual report must set out how to determine which of the authorities will be required to make the payment.
- (3) An annual report may impose on relevant authorities requirements for keeping—
- (a) records of requests for payments in respect of relevant matters;
 - (b) records of payments made in respect of relevant matters;
 - (c) records of payments made in respect of relevant pensions.

151 Publicity requirements in reports

- (1) An annual report may impose on relevant authorities requirements for making arrangements for publishing information of a specified description—
- (a) about payments made in respect of relevant matters;
 - (b) about payments made in respect of relevant pensions.
- (2) The report may require different arrangements to be made by authorities of different descriptions or different authorities of the same description.

152 Publicising reports

- (1) If the Panel publishes a report, it must notify—
- (a) such persons as it considers are likely to be affected by the report, and
 - (b) such broadcasters and such members of the press as it considers appropriate.
- (2) The Panel must secure reasonable availability of its reports to persons generally.
- (3) Subject to subsections (1) and (2), the Panel may decide how to publicise its reports.
- (4) In this section, “report” (except in relation to subsection (1)(b)) includes a draft of a report; and “publish”, in relation to a draft, means send to the persons to whom the draft is required to be sent under section 146 or 147.