



# Local Government Act 2000

## 2000 CHAPTER 22

### PART I

#### PROMOTION OF ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING ETC

#### *Procedure for orders under <sup>[F1]</sup>this Part*

##### Textual Amendments

**F1** Words in s. 9 cross-heading substituted (1.11.2021) by [Local Government and Elections \(Wales\) Act 2021](#) (asc 1), s. 175(7), **Sch. 3 para. 1(6)**; S.I. 2021/231, art. 4(c)

#### **9 Procedure for orders <sup>[F2]</sup>made by the Secretary of State under section 6.**

- (1) Before the Secretary of State makes an order under <sup>[F3]</sup>section 6] he must consult—
  - (a) such local authorities,
  - (b) such representatives of local government, and
  - (c) such other persons (if any),as appear to him to be likely to be affected by his proposals.
- (2) Where those proposals affect any local authorities in Wales, the Secretary of State must also consult <sup>[F4]</sup>the Welsh Ministers].
- (3) If, following consultation under the preceding provisions of this section, the Secretary of State proposes to make an order under <sup>[F5]</sup>section 6] he must lay before each House of Parliament a document which—
  - (a) explains his proposals,
  - (b) sets them out in the form of a draft order,
  - (c) gives details of consultation under subsection (1), and
  - (d) where consultation has taken place under subsection (2), sets out the views of <sup>[F6]</sup>the Welsh Ministers].

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- (4) Where a document relating to proposals is laid before Parliament under subsection (3), no draft of an order under [F7 section 6] to give effect to the proposals (with or without modifications) is to be laid before Parliament in accordance with section 105(6) until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (5) In calculating the period mentioned in subsection (4) no account is to be taken of any time during which—
- (a) Parliament is dissolved or prorogued, or
  - (b) either House is adjourned for more than four days.
- (6) In preparing a draft order under [F8 section 6] the Secretary of State must consider any representations made during the period mentioned in subsection (4).
- (7) A draft order under [F8 section 6] which is laid before Parliament in accordance with section 105(6) must be accompanied by a statement of the Secretary of State giving details of—
- (a) any representations considered in accordance with subsection (6), and
  - (b) any changes made to the proposals contained in the document laid before Parliament under subsection (3).
- [F9(8) Nothing in this section applies to an order under [F8 section 6] which is made only for the purpose of amending an earlier order under that section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
  - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

#### Textual Amendments

- F2** Words in s. 9 heading substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(a\)](#)
- F3** Words in s. 9(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F4** Words in s. 9(2) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. [115\(8\)\(a\)](#), 245(2)
- F5** Words in s. 9(3) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F6** Words in s. 9(3)(d) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. [115\(8\)\(b\)](#), 245(2)
- F7** Words in s. 9(4) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F8** Words in s. 9(6)-(8) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F9** S. 9(8) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 13](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

#### Commencement Information

- I1** S. 9 wholly in force at 9.4.2001; s. 9 not in force at Royal Assent see s. 108(4); s. 9 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), arts. [1\(3\)](#), 2(a); s. 9 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), art. 2

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**[<sup>F10</sup>9A Procedure for orders [<sup>F11</sup>made by the Welsh Ministers under section <sup>F12</sup>... 7]**

- (1) Before the Welsh Ministers make an order under [<sup>F13</sup>section <sup>F14</sup>... 7] they must consult—
  - (a) such local authorities in Wales,
  - (b) such representatives of local government in Wales, and
  - (c) such other persons (if any),as appear to them to be likely to be affected by their proposals.
- (2) If, following consultation under subsection (1), the Welsh Ministers propose to make an order under [<sup>F15</sup>section <sup>F16</sup>... 7] they must lay before the National Assembly for Wales a document which—
  - (a) explains their proposals,
  - (b) sets them out in the form of a draft order, and
  - (c) gives details of consultation under subsection (1).
- (3) Where a document relating to proposals is laid before the National Assembly for Wales under subsection (2), no draft of an order under [<sup>F17</sup>section <sup>F18</sup>... 7] to give effect to the proposals (with or without modifications) is to be laid before the National Assembly for Wales [<sup>F19</sup>in accordance with section <sup>F20</sup>... 7(10)] until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (4) In calculating the period mentioned in subsection (3) no account is to be taken of any time during which the National Assembly is dissolved or is in recess for more than four days.
- (5) In preparing a draft order under [<sup>F21</sup>section <sup>F22</sup>... 7] the Welsh Ministers must consider any representations made during the period mentioned in subsection (3).
- (6) A draft order under [<sup>F21</sup>section <sup>F23</sup>... 7] which is laid before the National Assembly for Wales must be accompanied by a statement of the Welsh Ministers giving details of—
  - (a) any representations considered in accordance with subsection (5), and
  - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (2).
- (7) Nothing in this section applies to an order under [<sup>F21</sup>section <sup>F24</sup>... 7] which is made only for the purpose of amending an earlier order under that section—
  - (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
  - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

**Textual Amendments**

- F10** S. 9A inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(9\)](#), [245\(2\)](#)
- F11** Words in s. 9A heading substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), [arts. 1\(1\)](#), [37\(5\)\(a\)](#)
- F12** Words in s. 9A heading omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [s. 175\(7\)](#), [Sch. 3 para. 1\(7\)\(d\)](#); [S.I. 2021/231](#), [art. 4\(c\)](#)
- F13** Words in s. 9A(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), [arts. 1\(1\)](#), [37\(5\)\(b\)](#)

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- F14** Words in s. 9A(1) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(a)**; S.I. 2021/231, art. 4(c)
- F15** Words in s. 9A(2) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **37(5)(b)**
- F16** Words in s. 9A(2) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(b)**; S.I. 2021/231, art. 4(c)
- F17** Words in s. 9A(3) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **37(5)(c)(i)**
- F18** Words in s. 9A(3) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(c)(i)**; S.I. 2021/231, art. 4(c)
- F19** Words in s. 9A(3) inserted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **37(5)(c)(ii)**
- F20** Words in s. 9A(3) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(c)(ii)**; S.I. 2021/231, art. 4(c)
- F21** Words in s. 9A(5)-(7) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **37(5)(d)**
- F22** Words in s. 9A(5) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)
- F23** Words in s. 9A(6) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)
- F24** Words in s. 9A(7) omitted (1.11.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(7)(d)**; S.I. 2021/231, art. 4(c)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)