
WELSH STATUTORY INSTRUMENTS

2022 No. 367 (W. 89)

LOCAL GOVERNMENT, WALES
CRIMINAL LAW, WALES

The Crime and Disorder Act 1998
(Additional Authority) (Wales) Order 2022

Made - - - - 23 March 2022

Coming into force - - 25 March 2022

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 17(4) of the Crime and Disorder Act 1998⁽¹⁾, and now vested in them⁽²⁾, make the following Order.

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with section 114(3)⁽³⁾ of that Act.

Title and coming into force

1.—(1) The title of this Order is the Crime and Disorder Act 1998 (Additional Authority) (Wales) Order 2022.

(2) This Order comes into force on 25 March 2022.

Amendment of section 17 of the Crime and Disorder Act 1998

2. In section 17(2)⁽⁴⁾ of the Crime and Disorder Act 1998, after “a joint authority;” insert “a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1);”.

(1) 1998 c. 37. Section 17(4) was inserted by the Police and Justice Act 2006 (c. 48).

(2) The power conferred by section 17(4) of the Crime and Disorder Act 1998 on the National Assembly for Wales, as “the appropriate authority” in accordance with sections 5(7) and 17(5) of that Act, was transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(3) Section 114(3) was amended by the Police and Justice Act 2006. There are other amendments but none is relevant.

(4) Section 17 has been amended by the Police and Justice Act 2006; the Policing and Crime Act 2009 (c. 26); the Local Democracy, Economic Development and Construction Act 2009 (c. 20); the Policing and Crime Act 2017 (c. 3); the Police Reform and Social Responsibility Act 2011 (c. 13); S.I. 2008/78; and the Localism Act 2011 (c. 20). There are other amendments but they are not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

23 March 2022

Rebecca Evans
Minister for Finance and Local Government, one
of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 17(2) of the Crime and Disorder Act 1998 (c. 37) (“the Act”) to add corporate joint committees established under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1) to the list of authorities in section 17(2) of the Act and as such are liable to comply with section 17(1).

Section 17(1) of the Act requires authorities that are subject to it, to have due regard to the likely effect of the exercise of their functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area, the misuse of drugs, alcohol and other substances in its area, and reoffending in its area.

These Regulations are connected with regulations which established 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 orders and regulations. As a result, a regulatory impact assessment was prepared at the time of making those establishment regulations and is relied upon for the purpose of this Order. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.