



Local Government Act 2000

2000 CHAPTER 22

PART I

PROMOTION OF ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING ETC

Promotion of well-being

5 Power to amend or repeal enactments.

- (1) If the [^{F1}Welsh Ministers think] that an enactment (whenever passed or made) prevents or obstructs local authorities from exercising their power under section 2(1) [^{F2}they] may by order amend, repeal, revoke or disapply that enactment.
- (2) The power under subsection (1) may be exercised in relation to—
- all local authorities,
 - particular local authorities, or
 - particular descriptions of local authority.
- (3) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.
- [^{F3}(3A) Subject to subsection (3B), a statutory instrument which contains an order under this section is not to be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.
- (3B) A statutory instrument containing an order under this section which is made only for the purpose of amending an earlier such order—
- 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
 - so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or authorities of a particular description,
- is subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Status: Point in time view as at 24/05/2018. This version of this provision has been superseded.

Changes to legislation: Local Government Act 2000, Section 5 is up to date with all changes known to be in force on or before 05 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)

^{F4}(4)

^{F5}(4A)

^{F6}(4B)

^{F7}(5)

(6) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M1}Interpretation Act 1978).

[^{F8}(7) The reference to local authorities in subsection (1) does not include community councils.]

Textual Amendments

- F1** Words in s. 5(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(a)(i)**
- F2** Word in s. 5(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(a)(ii)**
- F3** S. 5(3A)(3B) inserted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(b)**
- F4** S. 5(4) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F5** S. 5(4A) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F6** S. 5(4B) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F7** S. 5(5) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F8** S. 5(7) inserted (10.7.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), **ss. 126(3)**, 178(2) (with s. 128)

Commencement Information

- I1** S. 5 wholly in force at 9.4.2001; s. 5 not in force at Royal Assent see s. 108(4); s. 5 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), **arts. 1(3)**, 2(a); s. 5(5) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), **art. 2**; s. 5(1)-(4)(6) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), **art. 2**

Marginal Citations

- M1** 1978 c. 30.

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