



Government of Wales Act 2006

CHAPTER 32

GOVERNMENT OF WALES ACT 2006

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- 1 (1) This Schedule makes provision for alterations—

Senedd electoral region issue

- 2 (1) This paragraph applies if the Committee provisionally determine proposed...

Notice of Committee's proposed recommendations

- 3 (1) If, having considered the Assembly electoral region issue, the...

Local inquiries

- 4 (1) For the purposes of this Schedule the Committee may,...

Committee's report

- 5 (1) The Committee's report under section 3A(2) of the 1986...

Consideration of Committee's report by Commission

- 6 (1) Section 3A(3) of the 1986 Act (powers of the...

Directions by Commission to Committee

- 7 In section 3A(4) of the 1986 Act (directions by the...

Commission's report

- 8 (1) This paragraph applies if the Commission submit to the...

Rules

- 9 (1) The rules are— (1) Each Assembly constituency must be...

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2 The Senedd Commission may acquire, hold and dispose of property....

Staff

3 (1) The Senedd Commission may appoint staff.

Powers

4 (1) The Senedd Commission may do anything which appears to...

Promotion of awareness of election system and devolved government

5 (1) The Senedd Commission may promote public awareness of—
6 The Senedd Commission may provide financial assistance to the
Electoral...

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Principles in accordance with which functions are to be exercised

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a...

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Annual report

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10 The validity of any act of the Senedd Commission is...

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12 (1) Her Majesty may by Order in Council provide for...

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2 If and to the extent that any function is exercisable...

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8 (1) An Order in Council under section 58 may make...

Parliamentary and Senedd procedure

9 (1) This paragraph applies where a function to make subordinate...

Laying of reports and statements

10 (1) This paragraph applies where— (a) a function to make...

Powers to lend money

11 (1) This paragraph applies where a power to lend money...

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- 1 (1) Functions specified in the table below, so far as...
- 2 (1) The functions listed in sub-paragraph (2), so far as...
- 3 (1) The powers to make regulations under sections 10ZC, 10ZD...

Functions exercisable jointly with Welsh Ministers

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Functions exercisable concurrently or jointly with Welsh Ministers

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General restrictions

Functions of Ministers of the Crown

- 1 (1) A provision of an Assembly Measure cannot remove or...

Criminal offences

- 2 (1) A provision of an Assembly Measure cannot create, or...

Police areas

- 2A A provision of an Assembly Measure cannot make any alteration...

Enactments other than this Act

- 3 (1) A provision of an Assembly Measure cannot make modifications...
4 A provision of an Assembly Measure cannot make modifications of,...
5 A provision of an Assembly Measure cannot make modifications of,...

This Act

- 6 (1) A provision of an Assembly Measure cannot make modifications...
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6Z In this Part “ general restrictions in Part 2 ”...
11 Part 2 does not prevent an Assembly Measure making modifications...

Functions of Ministers of the Crown

- 7 (1) The general restrictions in Part 2 do not prevent...

Police areas

- 7A Part 2 does not prevent a provision of an Assembly...

Comptroller and Auditor General and National Audit Office

- 8 The general restrictions in Part 2 do not prevent a...

Restatement

- 9 Part 2 does not prevent a provision of an Assembly...

Subordinate legislation

- 10 The general restrictions in Part 2 do not prevent an...

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- (1) The persons entitled to vote in a referendum held...
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An Order in Council under section 103(1) must determine the...
An Order in Council under section 103(1) may make provision...
An Order in Council under section 103(1) may authorise or...
(1) This paragraph applies in relation to a referendum held...
Section 126 of the Political Parties, Elections and Referendums Act...
An Order in Council under section 103(1) must include provision...

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An Order in Council under section 103(1) must include provision...

(1) No court may entertain any proceedings for questioning the...

An Order in Council under section 103(1) may include provision...

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Ancient monuments and historic buildings

- 2 Archaeological remains. Ancient monuments. Buildings and places of historical or...

Culture

- 3 Arts and crafts. Museums and galleries. Libraries. Archives and historical...

Economic development

- 4 Economic regeneration and development, including social development of communities, reclamation...

Education and training

- 5 Education, vocational, social and physical training and the careers service....

Environment

- 6 Environmental protection, including pollution, nuisances and hazardous substances. Prevention, reduction,...

Fire and rescue services and fire safety

- 7 Fire and rescue services. Provision of automatic fire suppression systems...

Food

- 8 Food and food products. Food safety (including packaging and other...

Health and health services

- 9 Promotion of health. Prevention, treatment and alleviation of disease, illness,...

Highways and transport

- 10 Highways, including bridges and tunnels. Streetworks. Traffic management and regulation....

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Housing

- 11 Housing. Housing finance except schemes supported from central or local...

Local government

- 12 Constitution, structure and areas of local authorities. Electoral arrangements for...

National Assembly for Wales

- 13 Complaints about Assembly members (including provision for and about an...

Public administration

- 14 Public Services Ombudsman for Wales. Auditor General for Wales.. Audit,...

Social welfare

- 15 Social welfare including social services. Protection and well-being of children...

Sport and recreation

- 16 Sport and recreational activities. Exception— Betting, gaming and lotteries.

Taxation

- 16A Devolved taxes (as defined in section 116A(4)).

Tourism

- 17 Tourism.

Town and country planning

- 18 Town and country planning, including listed buildings and conservation areas....

Water and flood defence

- 19 Water supply, water resources management (including reservoirs), water quality and...

Welsh language

- 20 Welsh language Exception— Use of the Welsh language in courts....
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Functions of a Minister of the Crown

- 1 (1) A provision of an Act of the Assembly cannot...

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Enactments other than this Act

- 2 (1) A provision of an Act of the Assembly cannot...
- 3 A provision of an Act of the Assembly cannot make...
- 4 A provision of an Act of the Assembly cannot make...
- 4A A provision of an Act of the Assembly cannot—

This Act

- 5 (1) A provision of an Act of the Assembly cannot...
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Functions of Ministers of the Crown

- 6 (1) Part 2 does not prevent a provision of an...

Comptroller and Auditor General and National Audit Office

- 7 Part 2 does not prevent a provision of an Act...

Her Majesty's Revenue and Customs

- 7A (1) Part 2 does not prevent a provision of an...

Restatement

- 8 Part 2 does not prevent an Act of the Assembly—...

Subordinate legislation

- 9 Part 2 does not prevent an Act of the Assembly...

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- 1 The following aspects of the constitution are reserved matters—
- 2 (1) Paragraph 1 does not reserve— (a) Her Majesty's executive...
- 3 (1) Paragraph 1 does not reserve property belonging—
- 4 (1) Paragraph 1 does not reserve property held by Her...

Public service

- 5 The Civil Service of the State is a reserved matter....

Political parties

- 6 The following are reserved matters— (a) the registration of political...
- 7 Paragraph 6 does not reserve making payments to any political...

Single legal jurisdiction of England and Wales

- 8 (1) The following are reserved matters— (a) courts (including, in...

Tribunals

- 9 (1) Tribunals, including— (a) their membership, (b) the appointment and...

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Foreign affairs etc

- 10 (1) International relations, regulation of international trade, and international development...

Defence

- 11 The following are reserved matters— (a) the defence of the...
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- 14 Any exceptions or interpretation provisions in a Section relate only...

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- 15 Fiscal, economic and monetary policy, including the issue and circulation...
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Local taxes...

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A2 The currency

- 16 Coinage, legal tender and bank notes.

Section A3

A3 Financial services

- 17 Financial services, including investment business, banking and deposit-taking, collective investment...

Section A4

A4 Financial markets

- 18 Financial markets, including listing and public offers of securities and...

Section A5

A5 Dormant accounts

- 19 Distribution of money from dormant bank and building society accounts....

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Head B—Home Affairs

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B1 Elections

- 20 (A) Elections for membership of the House of Commons ...
- 21 (B) Elections for membership of the Senedd and local government elections in Wales
- 22 The subject-matter of section 37ZA(2) of the Representation of the...
- 23 The combination of— (a) polls at elections or referendums that...
- 24 Any digital service provided by a Minister of the Crown...
- 25 The subject-matter of the following provisions of the Political Parties,...
- 26 The subject-matter of Parts 5 and 6 of the Political...
- 27 The subject-matter of sections 145 to 148 and 150 to...
Interpretation “ “Existing elections Acts” ” means— the Representation of...

Section B2

B2 Nationality and immigration

- 28 Nationality.
- 29 Immigration, including asylum and the status and capacity of persons...
- 30 Free movement of persons within the European Economic Area.
- 31 Travel documents.

Section B3

B3 National security and official secrets

- 32 National security.
- 33 Special powers, and other special provisions, for dealing with terrorism....
- 34 The subject-matter of the Official Secrets Acts 1911 to 1989....

Section B4

B4 Interception of communications, communications data and surveillance

- 35 Interception of communications.
- 36 Communications data.
- 37 Covert surveillance by persons exercising public functions.
- 38 Use of surveillance systems.
Interpretation “ “Covert surveillance” ” includes the use of covert...

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B5 Crime, public order and policing

- 39 The prevention, detection and investigation of crime.
- 40 The maintenance of public order.
- 41 Policing.
- 42 Police and crime commissioners.

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Exception Powers of entry, search and seizure relating to the...

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B6 Anti-social behaviour

- 43 The subject-matter of Parts 1 to 4 and 6 of...
- 44 Dangerous dogs and dogs dangerously out of control.

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B7 Modern Slavery

- 45 The subject-matter of the Modern Slavery Act 2015.

Section B8

B8 Prostitution

- 46 Prostitution.

Section B9

B9 Emergency powers

- 47 Emergency powers.

Section B10

B10 Extradition

- 48 Extradition.

Section B11

B11 Rehabilitation of offenders

- 49 The subject-matter of the Rehabilitation of Offenders Act 1974.

Section B12

B12 Criminal records

- 50 Criminal records, including disclosure and barring.

Section B13

B13 Dangerous items

- 51 The subject-matter of the Firearms Acts 1968 to 1997.
- 52 The subject-matter of the Poisons Act 1972.
- 53 Knives.
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Section B14

B14 Misuse of and dealing in drugs or psychoactive substances

- 54 Misuse of and dealing in drugs or psychoactive substances.
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Section B15

B15 Private security

- 55 Private security.

Section B16

B16 Entertainment and late night refreshment.

- 56 Classification of films and video recordings (including video games).
57 Licensing of— (a) the provision of entertainment, and

Section B17

B17 Alcohol

- 58 The sale and supply of alcohol.

Section B18

B18 Betting, gaming and lotteries

- 59 Betting, gaming and lotteries.
Exception In the case of a betting premises licence under...

Section B19

B19 Hunting

- 60 Hunting with dogs.

Section B20

B20 Scientific and educational procedures on live animals

- 61 Procedures on live animals for scientific or educational purposes.

Section B21

B21 Lieutenancies

- 62 Lieutenancies.

Section B22

B22 Charities and fund-raising

- 63 Charities.
64 Raising funds for charitable, benevolent or philanthropic purposes.

Status: Point in time view as at 07/11/2023.

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Interpretation “Funds” includes property other than money.

Head C—Trade and Industry

Section C1

C1 Business associations and business names

- 65 The creation, operation, regulation and dissolution of types of business...
- 66 The regulation of the name under which an individual or...
Exception The creation, operation, regulation and dissolution of particular public...
Interpretation “Business association” means any entity, whether or...

Section C2

C2 Insolvency and winding up

- 67 Insolvency.
- 68 Winding up solvent business associations.
Interpretation “Business association” has the same meaning as...

Section C3

C3 Competition

- 69 Regulation of anti-competitive practices and agreements; abuse of dominant position;...

Section C4

C4 Intellectual property

- 70 Intellectual property.
Exception Plant varieties and seeds.

Section C5

C5 Import and export control

- 71 Prohibition and regulation of imports and exports
Exceptions Prohibition and regulation of movement into and out of...
Interpretation “Food” has the same meaning as it...

Section C6

C6 Consumer protection

- 72 Regulation of— (a) the sale and supply of goods and...
- 73 Safety of, and liability for, services supplied to consumers.
- 74 The regulation of— (a) estate agents, (b) timeshares, and
- 75 The regulation of— (a) unsolicited goods and services, and
- 76 The subject-matter of Part 8 of the Enterprise Act 2002...

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Exceptions Food, food products and food contact materials. Agricultural and...

Interpretation “ "Food” ” has the same meaning as in...

Section C7

C7 Product standards, safety and liability

77 The subject matter of all technical standards and requirements in...

78 The national accreditation body and the accreditation of bodies that...

79 Product safety and liability.

80 Product labelling.

Exceptions Food, food products and food contact materials. Agricultural and...

Interpretation “ "Food” ” has the same meaning as in...

Section C8

C8 Weights and measures

81 Units and standards of weight and measurement.

82 Regulation of trade so far as involving weighing, measuring and...

Section C9

C9 Telecommunications and wireless telegraphy

83 Telecommunications and wireless telegraphy (including electromagnetic disturbance).

84 Internet services.

85 Electronic encryption.

Section C10

C10 Post

86 Postal services, post offices, the original holding company and any...

Exception Financial assistance for the provision of services (other than...

Interpretation “ "The original holding company” ” and “ "Post...

Section C11

C11 United Kingdom Research and Innovation and Research Councils

87 United Kingdom Research and Innovation (“UKRI”), and Research Councils within...

88 The ... subject-matter of section 10 of the Higher Education...

Section C12

C12 Industrial development

89 The subject-matter of— (a) section 1 of the Industrial Development...

Status: Point in time view as at 07/11/2023.

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Section C13

C13 Protection of trading and economic interests

- 90 The subject-matter of— (a) Part 2 of the Industry Act...

Section C14

C14 Assistance in connection with exports of goods and services etc

- 91 The Export Credits Guarantee Department.

Section C15

C15 Water and sewerage

- 92 Appointment and regulation of a water or sewerage undertaker whose...
93 Licensing and regulation of a water supply or sewerage licensee....
Exceptions Regulation of a water supply licensee in relation to...
Interpretation “ "Sewerage licensee” ” and “ "water supply licensee” ”...

Section C16

C16 Pubs Code Adjudicator and the Pubs Code

- 94 The subject-matter of Part 4 of the Small Business, Enterprise...

Section C17

C17 Sunday trading

- 95 Sunday trading.

C18 Distortive or harmful subsidies

Head D—Energy

Section D1

D1 Electricity

- 96 Generation, transmission, distribution and supply of electricity.

Section D2

D2 Oil and gas

- 97 Oil and gas, including— (a) the ownership of, exploration for...
Exceptions The granting and regulation of licences to search and...
Interpretation “ "Petroleum” ” means petroleum within the meaning given...

Status: Point in time view as at 07/11/2023.

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Section D3

D3 Coal

- 98 Coal, including— (a) the ownership and exploitation of coal, Exception Land restoration.

Section D4

D4 Nuclear energy

- 99 Nuclear energy and nuclear installations, including— (a) nuclear safety, security...
100 The Office for Nuclear Regulation.

Section D5

D5 Heat and cooling

- 101 Production, distribution and supply of heat and cooling.
Exceptions Heat and cooling networks, but not the regulation of...
Interpretation “ “Heat and cooling network” ” means a system...

Section D6

D6 Energy conservation

- 102 Energy conservation.
Exception The encouragement of energy efficiency otherwise than by prohibition...

Head E—Transport

Section E1

E1 Road transport

- 103 Road freight transport services in the United Kingdom (including goods...
104 Regulation of the construction and equipment of motor vehicles and...
105 Road traffic offences.
106 Driver licensing (including training, testing and certification).
107 Driving instruction.
108 Drivers' hours.
109 Traffic regulation on special roads, other than regulation relating to...
110 Exemptions from speed limits.
111 The application of traffic signs or pedestrian crossings to vehicles...
112 International road transport services for passengers or goods.
113 Public service vehicle operator licensing.
114 Documents relating to vehicles and drivers for the purposes of...
115 Vehicle insurance and vehicle registration.
116 The subject-matter of Parts 2 and 3 of the Severn...
Exceptions The subject-matter of Part 6 of the Traffic Management...
Interpretation “ “Second Severn crossing” ” means the bridge referred...

Status: Point in time view as at 07/11/2023.

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Section E2

E2 Rail transport

- 117 Railway services.
- 118 The subject-matter of the Channel Tunnel Act 1987.
Exception Financial assistance so far as relating to railway services;...
Interpretation “ "Railway services" ” has the meaning given by...

Section E3

E3 Marine and waterway transport etc

- 119 Navigational rights and freedoms.
- 120 Shipping and technical and safety standards of vessels that are...
- 121 Reserved trust ports and harbours not wholly in Wales.
- 122 Pilotage other than devolved pilotage.
- 123 Coastguard services and maritime search and rescue.
- 124 Hovercraft.
Exceptions The reference to navigational rights and freedoms does not...
Interpretation “ "Devolved pilotage" ” means pilotage that — relates...

Section E4

E4 Air transport

- 125 Aviation, air transport, airports and aerodromes.
Exceptions Financial assistance to providers or proposed providers of air...

Section E5

E5 Transport security

- 126 Transport security.
Exception Regulation of transport security relating to the carriage of...

Section E6

E6 Other matters

- 127 Technical specifications for public passenger transport for disabled persons, including...
- 128 Technical specifications for fuel or other energy sources or processes...
- 129 Carriage of dangerous goods (including transport of radioactive material).
Interpretation “ "Radioactive material" ” means any material having a...

Head F—Social Security, Child Support, Pensions and Compensation

Section F1

F1 Social security schemes

- 130 Social security schemes supported from public funds.

Status: Point in time view as at 07/11/2023.

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- 131 Requiring persons— (a) to establish and administer, or make payments...
Exceptions The provision by a local authority of financial assistance...
Interpretation “ "Social security schemes” ” means schemes providing financial...

Section F2

F2 Child Support

- 132 Child support maintenance.
133 Collection and enforcement of— (a) periodical payments, other than child...

Section F3

F3 Occupational and Personal Pensions

- 134 Occupational and personal pensions.
Exception Occupational and personal pension schemes for or in respect...
Interpretation “ "Local authority” ” includes a fire and rescue...

Section F4

F4 Public sector compensation

- 135 Compensation for or in respect of public sector workers in...
136 Regulation of amounts payable, or paid, to or in respect...
Exception Schemes for the payment of compensation, and regulation of...
Interpretation “ "Compensation” ” includes pensions, grants, allowances, supplements and...

Section F5

F5 Armed forces compensation etc

- 137 Compensation for or in respect of members of the naval,...
138 Regulation of amounts payable, or paid, to or in respect...
139 The subject-matter of any scheme under the Personal Injuries (Emergency...
Interpretation “ "Compensation” ” includes pensions, grants, allowances, supplements and...

Head G—Professions

Section G1

G1 Architects, auditors, health professionals and veterinary surgeons

- 140 Regulation of— (a) the profession of architect,
Exceptions Regulation of the social care profession. Regulation of the...

Status: Point in time view as at 07/11/2023.

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Interpretation “ "Health professions” ” means— the professions regulated by...

Head H—Employment

Section H1

H1 Employment and industrial relations

- 141 Employment rights and duties and industrial relations, including the subject-matter...
Exception The subject-matter of the Agricultural Sector (Wales) Act 2014....

Section H2

H2 Industrial training boards

- 142 The following boards— (a) the Construction Industry Training Board;

Section H3

H3 Job search and support

- 143 Arrangements for assisting persons to select, train for, obtain and...
Exceptions Education. Vocational, social and physical training. Careers services.
Interpretation “ "Employment” ” includes— work on a person's own...

Head J—Health, Safety and Medicines

Section J1

J1 Abortion

- 144 Abortion.

Section J2

J2 Xenotransplantation

- 145 Xenotransplantation.

Section J3

J3 Embryology, surrogacy and genetics

- 146 Human genetics, human fertilisation, human embryology and surrogacy arrangements.

Status: Point in time view as at 07/11/2023.

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Section J4

J4 Medicines, medical supplies, biological substances etc

- 147 Medicinal products, including manufacture, authorisations for use and regulation of..
- 148 Regulation of prices of other medical supplies.
- 149 Standards for, and testing of, biological substances (that is, substances...
- 150 Veterinary medicinal products, including manufacture, authorisations for use and regulation...
- 151 Specified feed additives.
- 152 Animal feeding stuffs, in relation to— (a) the incorporation in...
- 153 Vaccine damage payments.
Interpretation “Medical supplies” has the same meaning as...

Section J5

J5 Welfare foods

- 154 Schemes established by regulations under section 13 of the Social...

Section J6

J6 Health and safety

- 155 The subject-matter of Part 1 of the Health and Safety...
- 156 The Health and Safety Executive and the Employment Medical Advisory...
- 157 Protection of the public from radiation.
Interpretation For the purposes of the reservation of the subject-matter...

Head K—Media, Culture and Sport

Section K1

K1 Media

- 158 Broadcasting and other media.
- 159 The British Broadcasting Corporation.

Section K2

K2 Public lending right

- 160 Public lending right.

Section K3

K3 Government Indemnity Scheme

- 161 Government indemnities for objects on loan.

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Section K4

K4 Property accepted in satisfaction of tax

- 162 Payments to Her Majesty's Revenue and Customs in respect of...

Section K5

K5 Sports grounds

- 163 Safety of sports grounds.

Head L—Justice

Section L1

L1 The legal profession, legal services and claims management services

- 164 The legal profession and legal services.
165 Claims management services.

Section L2

L2 Legal aid

- 166 Legal aid.

Section L3

L3 Coroners

- 167 The subject-matter of Part 1 of the Coroners and Justice...

Section L4

L4 Arbitration

- 168 Arbitration.

Section L5

L5 Mental capacity

- 169 The subject-matter of the Mental Capacity Act 2005.

Section L6

L6 Personal data

- 170 Protection of personal data.

Section L7

L7 Information rights

- 171 Public access to information held by a public authority.

Status: Point in time view as at 07/11/2023.

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Exception Public access to information held by— the Senedd ,...
Interpretation ““Public authority”” and ““held by a public authority””—
in...

Section L8

L8 Public sector information

172 The subject-matter of— (a) the INSPIRE Regulations 2009 (S.I....

Section L9

L9 Public records

173 The subject-matter of the Public Records Act 1958.

Section L10

L10 Compensation for persons affected by crime and miscarriages of justice

174 Compensation for— (a) persons affected by crime;

Section L11

Section L11 Prisons and offender management

175 (1) Prisons and other institutions for the detention of persons...
Exceptions Accommodation provided by or on behalf of a local...
Interpretation The reference to conviction in sub-paragraph (2) includes
a...

Section L12

L12 Family relationships and children

176 Marriage, civil partnership and cohabitation.
177 Parenthood, parental responsibility, child arrangements and adoption.
178 Proceedings and orders under Part 4 or 5 of the...
179 Civil remedies in respect of domestic violence, domestic abuse and...
Exceptions Services and facilities relating to adoption, adoption
agencies and...
Interpretation “ “Child arrangements” ” includes the subject-matter of
Part...

Section L13

L13 Gender recognition

180 Gender recognition.

Section L14

L14 Registration of births, deaths and places of worship

181 Registration of births and deaths and of places of worship....

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Head M—Land and Agricultural Assets

Section M1

M1 Registration of land

- 182 Registration of— (a) estates, interests and charges in or over...
Exception Fees for the registration of local land charges.

Section M2

M2 Registration of agricultural charges and debentures

- 183 The subject-matter of sections 9 and 14 of, and the...

Section M3

M3 Development and buildings

- 184 Planning (including the subject-matter of Parts 2 to 8 of...
185 Compensation in respect of— (a) the interference with rights in...
186 The regulation of— (a) the design and construction of buildings,...
Interpretation “ "Devolved associated line” ” means an overhead line...

Head N—Miscellaneous

Section N1

N1 Equal opportunities

- 187 Equal opportunities.
Exceptions The encouragement (other than by prohibition or regulation)
of...
Interpretation “ "Board” ” includes any other equivalent management
body....

Section N2

N2 Control of weapons

- 188 Control of nuclear, biological and chemical weapons and other
weapons...

Section N3

N3 Ordnance Survey

- 189 Ordnance Survey.

Section N4

N4 Time

- 190 Timescales, time zones, the subject-matter of the Summer Time Act...

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Exception The computation of periods of time.

Section N5

N5 Outer space

191 Activities connected with outer space.

Section N6

N6 Antarctica

192 Activities connected with Antarctica.
Interpretation “ "Antarctica” ” has the meaning given in section...

Section N7

N7 Deep sea bed mining

193 Activities for the purposes of deep sea bed mining operations....
Interpretation “ "Deep sea bed mining operations” ” has the...
Part 3 — GENERAL PROVISIONS

Devolved Welsh authorities etc

194 (1) This Schedule does not reserve— (a) the constitution of...
195 (1) Paragraph 1 of this Schedule does not reserve an...
196 Paragraph 194 applies in relation to a devolved tribunal (within...

Particular authorities

197 (1) The reservation of an authority to which this paragraph...

Welsh language functions

198 (1) This Schedule does not reserve— (a) conferring or imposing...

Council tax precepts

199 This Schedule does not reserve council tax precepts.

Interpretation of Schedule

200 (1) References in this Schedule to the subject-matter of any...

SCHEDULE 7B — General restrictions
Part 1 — GENERAL RESTRICTIONS

The law on reserved matters

1 (1) A provision of an Act of the Senedd cannot...
2 (1) Paragraph 1 does not apply to a modification that—...

Private law

3 (1) A provision of an Act of the Senedd cannot...

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Criminal law

- 4 (1) A provision of an Act of the Senedd cannot—...

Enactments other than this Act

- 5 (1) A provision of an Act of the Senedd cannot...
6 A provision of an Act of the Senedd cannot make...

This Act

- 7 (1) A provision of an Act of the Senedd cannot...

Ministers of the Crown, government departments and other reserved authorities

- 8 (1) A provision of an Act of the Senedd cannot—...
9 (1) This paragraph contains exceptions to paragraph 8.
10 (1) A provision of an Act of the Senedd cannot...
11 (1) A provision of an Act of the Senedd cannot...
12 (1) In any enactment (whenever passed or made) not contained...
Part 2 — GENERAL EXCEPTIONS FROM PART 1

Restatement

- 13 (1) Part 1 does not prevent an Act of the...

Subordinate legislation

- 14 Part 1 does not prevent an Act of the Senedd...

SCHEDULE 8 — Auditor General for Wales

Appointment

- 1 (1) The Auditor General is to be appointed by Her...

Tenure

- 2 (1) Subject as follows, a person appointed as Auditor General...

Independence and status

- 3 (1) The Auditor General is not, in the exercise of...

Corporation sole

- 4 The person for the time being holding the office of...

Documents

- 5 (1) The application of the seal of the Auditor General...

Remuneration

- 6 (1) The Senedd must— (a) pay the Auditor General such...

Staff

- 7 (1) The Auditor General may appoint such staff or secure...

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Exercise of functions by staff etc.

8 (1) Any function of the Auditor General may be exercised...

Special finance provisions

9 (1) Any sums payable by the Auditor General in consequence...

Borrowing

10 The Auditor General may borrow sums in sterling (by way...

Fees

11 (1) The Auditor General may charge a fee for auditing...

Estimates

12 (1) For each financial year the Auditor General must—

Accounts

13 (1) The Auditor General must, for each financial year, prepare...

Auditor

14 (1) The Senedd must appoint an auditor of the accounts...

Audit of accounts

15 (1) The accounts which the Auditor General is required to...

Accounting officer

16 (1) The accounting officer for the Wales Audit Office is...

Access to documents

17 (1) The Auditor General has a right of access at...

Other powers

18 (1) Where— (a) the Welsh Ministers are entitled to appoint...

Reports in public interest

19 (1) If the Auditor General thinks that it would be...

Certification of claims, returns etc.

20 (1) The Auditor General must, if so required by a...

Ancillary powers

21 (1) Arrangements may be made between the Auditor General and...

SCHEDULE 9 — Devolution issues

Part 1 — PRELIMINARY

1 (1) In this Schedule “devolution issue” means—

2 A devolution issue is not to be taken to arise...

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Part 2 — PROCEEDINGS IN ENGLAND AND WALES

Application of Part 2

3 This Part applies in relation to devolution issues in proceedings...

Institution of proceedings

4 (1) Proceedings for the determination of a devolution issue may...

Notice of devolution issue

5 (1) A court or tribunal must order notice of any...

Reference of devolution issue to High Court or Court of Appeal

6 A magistrates' court may refer any devolution issue which arises...

7 (1) A court may refer any devolution issue which arises...

8 A tribunal from which there is no appeal must refer...

9 A court, other than the Court of Appeal or the...

References from Court of Appeal to Supreme Court

10 The Court of Appeal may refer any devolution issue which...

Appeals from superior courts to Supreme Court

11 An appeal against a determination of a devolution issue by...

Part 3 — PROCEEDINGS IN SCOTLAND

Application of Part 3

12 This Part applies in relation to devolution issues in proceedings...

Institution of proceedings

13 (1) Proceedings for the determination of a devolution issue may...

Intimation of devolution issue

14 (1) A court or tribunal must order intimation of any...

Reference of devolution issue to higher court

15 A court, other than any court consisting of three or...

16 A tribunal from which there is no appeal must refer...

17 A court, other than any court consisting of two or...

References from superior courts to Supreme Court

18 Any court consisting of three or more judges of the...

19 Any court consisting of two or more judges of the...

Appeals from superior courts to Supreme Court

20 An appeal against a determination of a devolution issue by...

21 An appeal against a determination of a devolution issue by—...

Part 4 — PROCEEDINGS IN NORTHERN IRELAND

Status: Point in time view as at 07/11/2023.

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Application of Part 4

22 This Part applies in relation to devolution issues in proceedings...

Institution of proceedings

23 (1) Proceedings for the determination of a devolution issue may...

Notice of devolution issue

24 (1) A court or tribunal must order notice of any...

Reference of devolution issue to Court of Appeal

25 A court, other than the Court of Appeal in Northern...

26 A tribunal from which there is no appeal must refer...

References from Court of Appeal to Supreme Court

27 The Court of Appeal in Northern Ireland may refer any...

Appeals from Court of Appeal to Supreme Court

28 An appeal against a determination of a devolution issue by...

Part 5 — GENERAL

Direct references to Supreme Court

29 (1) The relevant officer may require any court or tribunal...

30 (1) The Attorney General or the Counsel General may refer...

Costs

31 (1) A court or tribunal before which any proceedings take...

Procedure of courts and tribunals

32 Any power to make provision for regulating the procedure before...

References to be for decision

33 Any function conferred by this Schedule to refer a devolution...

SCHEDULE 9A — Devolved Welsh authorities

The Adjudication Panel for Wales or Panel Dyfarnu Cymru. An...

SCHEDULE 10 — Minor and consequential amendments

Statutory Instruments Act 1946 (c. 36)

1 The Statutory Instruments Act 1946 is amended as follows.

2 In section 1 (definition of “statutory instrument”), for subsection (1A)...

3 After section 11 insert— Application in relation to Wales (1) References in this Act to any Act include references...

Laying of Documents before Parliament (Interpretation) Act 1948 (c. 59)

4 In section 1 of the Laying of Documents before Parliament...

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Defamation Act 1952 (c. 66)

5 In section 10 of the Defamation Act 1952 (limitation on...

Defamation Act (Northern Ireland) 1955 (c. 11 (N.I.))

6 In section 10(1) of the Defamation Act (Northern Ireland) 1955...

Public Records Act 1958 (c. 51)

7 In the First Schedule to the Public Records Act 1958...

Parliamentary Commissioner Act 1967 (c. 13)

8 In Schedule 2 to the Parliamentary Commissioner Act 1967
(departments...

Pensions (Increase) Act 1971 (c. 56)

9 In Part 2 of Schedule 2 to the Pensions (Increase)...

Local Government Act 1974 (c. 7)

10 In section 27(1) of the Local Government Act 1974 (provisions...

Interpretation Act 1978 (c. 30)

11

Local Government, Planning and Land Act 1980 (c. 65)

12 In paragraph 5 of Schedule 31 to the Local Government,...

Mental Health Act 1983 (c. 20)

13

National Audit Act 1983 (c. 44)

14

15

16

17

...

18

Public Order Act 1986 (c. 64)

19 In section 26(1) of the Public Order Act 1986 (saving...

Finance Act 1987 (c. 16)

20 In section 55(1)(c) of the Finance Act 1987 (exemption from...

Local Government Finance Act 1988 (c. 41)

21 In Schedule 8 to the Local Government Finance Act 1988...

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Copyright, Designs and Patents Act 1988 (c. 48)

- 22 The Copyright, Designs and Patents Act 1988 is amended as...
- 23 In section 12(9) (duration of copyright in literary, dramatic, musical...
- 24 In section 49 (public records), for “the Government of Wales...
- 25 In section 153(2) (qualification for copyright protection), for “166B” substitute...
- 26 (1) Section 163 (Crown copyright) is amended as follows.
- 27 (1) Section 164 (copyright in Acts and Measures) is amended...
- 28 After section 166B insert— Copyright in proposed Measures of the...
- 29 (1) Section 178 (minor definitions) is amended as follows.
- 30 In section 179 (index of defined expressions), in column 2...
- 31 (1) Section 263(1) (Part 3: minor definitions) is amended as...
- 32 In paragraph 10(1) of Schedule 2 (public records), for “the...

Housing Act 1988 (c. 50)

- 33 In paragraph 5 of Schedule 8 to the Housing Act...

Official Secrets Act 1989 (c. 6)

- 34 In section 12 of the Official Secrets Act 1989 (meaning...

Town and Country Planning Act 1990 (c. 8)

- 35 In section 321B of the Town and Country Planning Act...

Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

- 36 In paragraph 8 of Schedule 3 to the Planning (Listed...

Planning (Hazardous Substances) Act 1990 (c. 10)

- 37 In paragraph 8 of the Schedule to the Planning (Hazardous...

Tribunals and Inquiries Act 1992 (c. 53)

- 38 In section 16(1) of the Tribunals and Inquiries Act 1992...

Value Added Tax Act 1994 (c. 23)

- 39 In section 41(6) of the Value Added Tax Act 1994...

Defamation Act 1996 (c. 31)

- 40 In paragraph 11(1)(c) of Schedule 1 to the Defamation Act...

Government of Wales Act 1998 (c. 38)

- 41 The Government of Wales Act 1998 is amended as follows....
- 42 (1) Section 28 (reform of other Welsh public bodies) is...
- 43 (1) Section 104 (Her Majesty's Chief Inspector of Education and...
- 44 (1) Section 105 (Forestry Commissioners) is amended as follows.
- 45 (1) Section 144 (power of Secretary of State by order...
- 46 (1) Section 145 (examinations by Auditor General into discharge of...
- 47 In section 145A(5) (studies by Auditor General into discharge of...
- 48 (1) Section 145C (studies by Auditor General into discharge of...
- 49 In section 146(4) (power of Secretary of State by order...

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- 50 (1) Section 146A (transfer etc. of supervisory functions from the...
- 51 (1) Section 147 (power of Secretary of State by order...
- 52 In section 151(2) (power to make consequential amendments), for “22”...
- 53 (1) Section 154 (orders and directions) is amended as follows....
- 54 (1) Section 155 (interpretation) is amended as follows.
- 55 (1) Schedule 7 (Forestry Commissioners) is amended as follows.

Human Rights Act 1998 (c. 42)

- 56 (1) Section 21(1) of the Human Rights Act 1998 (interpretation)...

Government Resources and Accounts Act 2000 (c. 20)

- 57 In section 10 of the Government Resources and Accounts Act...

Political Parties, Elections and Referendums Act 2000 (c. 41)

- 58 The Political Parties, Elections and Referendums Act 2000 is amended...
- 59 In section 8(3)(b) (functions exercisable only on recommendation of Electoral...
- 60 In section 10(6) (bodies to which Electoral Commission may give...
- 61 In section 13 (power of Electoral Commission to promote public...

Finance Act 2003 (c. 14)

- 62 The Finance Act 2003 is amended as follows.
- 63 In section 61(3) (stamp duty land tax: compliance with planning...
- 64 In section 66(4) (stamp duty land tax: transfers involving public...
- 65 In section 107(2) (stamp duty land tax: Crown application)—

Planning and Compulsory Purchase Act 2004 (c. 5)

- 66 (1) Section 60 of the Planning and Compulsory Purchase Act...

Public Services Ombudsman (Wales) Act 2005 (c. 10)

- 67 The Public Services Ombudsman (Wales) Act 2005 is amended as...
- 68 In section 7(3)(b) (relevant action: Welsh health service bodies), for...
- 69 In section 8(2) (exclusion from investigation for matters not relating...
- 70 In section 9(1)(b) (exclusion from investigation of matters: right of...
- 71 (1) Section 10 (other excluded matters) is amended as follows....
- 72 In section 12 (decisions not to investigate etc.), omit subsection...
- 73 (1) Section 16 (reports of investigations) is amended as follows....
- 74 In section 21 (reports: alternative procedure), omit subsection (11).
- 75 In section 23 (special reports: supplementary), omit subsection (6).
- 76 (1) Section 24 (special reports relating to the Assembly)...
- 77 (1) Section 25 (consultation and co-operation with other ombudsmen) is...
- 78 (1) Section 28 (listed authorities) is amended as follows.
- 79 (1) Section 29 (restrictions on power to amend Schedule 3)...
- 80 (1) Section 30 (provisions in orders adding persons to Schedule...
- 81 In section 40 (commencement), for “ Assembly ” substitute “...
- 82 (1) Section 41 (interpretation) is amended as follows.
- 83 (1) Section 42 (former health care providers and social landlords)...

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- 84 (1) Section 43 (consequential and transitional provision) is amended as...
- 85 (1) Section 44 (orders, regulations and directions) is amended as...
- 86 (1) Schedule 1 (Public Service Ombudsman for Wales: appointment etc.)...
- 87 In paragraph 1 of Schedule 2 (excluded matters), for “...
- 88 In Schedule 3 (listed authorities), under the heading “Government of...

Inquiries Act 2005 (c. 12)

- 89 The Inquiries Act 2005 is amended as follows.
- 90 In section 1(2) (“Ministers” who may cause inquiries to be...
- 91 (1) Section 27 (United Kingdom inquiries) is amended as follows....
- 92 In section 28(4) (Scottish inquiries), for “National Assembly for Wales”...
- 93 (1) Section 29 (Welsh inquiries) is amended as follows.
- 94 In section 30(5) (Northern Ireland inquiries), for “National Assembly for...
- 95 (1) Section 41 (rules) is amended as follows.
- 96 In section 43(1) (interpretation), in the definition of “the relevant...
- 97 In section 51(2) (commencement), for “National Assembly for Wales” substitute...

SCHEDULE 11 — Transitional provisions

Alteration of Senedd electoral regions

1

2007 election to be election to Assembly constituted by this Act

2 The 2007 election is an election to the Assembly constituted...

First meeting after 2007 election

3 The first meeting of the Assembly constituted by this Act...

Date of 2011 election

4 Until the first ordinary general election (or any extraordinary general...

No dual constituency and regional candidacy

5 (1) Section 5 of the Government of Wales Act 1998...

6 (1) Section 7 of that Act (return of electoral region...

Electoral region vacancies before first general election etc.

7 Section 11 has effect until the first general election as...

Election orders

8 An order under section 11 of the Government of Wales...

Term of office of Senedd members

9 Section 14 has effect until the first general election as...

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Disqualification Orders

- 10 An Order in Council under section 12(1)(b) of the Government...

Disqualification of Lords of Appeal in Ordinary

- 11 A Lord of Appeal in Ordinary is disqualified from being...

Remuneration of Assembly members etc.

- 12 (1) This paragraph has effect in relation to a determination...
13 An order under section 17 of the Government of Wales...

Publication of information about remuneration of Assembly members

- 14 (1) Section 22(2) does not apply in relation to the...

Assistance to groups of Members of the Senedd

- 15 (1) A determination under section 34A of the Government of...

First Presiding Officer

- 16 The reference in subsection (1) of section 25 to the...

First Clerk

- 17 The member of the staff of the Assembly constituted by...

Promotion of awareness of election system and devolved government

- 18 Paragraphs 5 and 6 of Schedule 2 have effect until...

Crown status of Senedd Commission

- 19 Sub-paragraph (4) of paragraph 12 of Schedule 2 has effect...

Standing orders

- 20 (1) The Secretary of State must, no later than 31st...

Witnesses and documents: penalties

- 21 In relation to an offence committed before the coming into...

Exercise of functions before appointment of first First Minister

- 22 (1) Nothing in this Act (including in particular the repeal...
23 (1) This paragraph and paragraph 24 have effect during the...
24 (1) This paragraph applies to functions of the Assembly constituted...
25 (1) Where a function of making, confirming or approving subordinate...

Saving for existing instruments conferring or imposing functions

- 26 (1) Any provision of an Order in Council under section...
27 Orders under section 27 of the Government of Wales Act...
28 (1) Designations made under section 2(2) of the European Communities...

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First nomination of First Minister

- 29 The reference in section 47(2)(a) to the holding of a...

Transfer of Assembly functions

- 30 (1) Subject to paragraph 31, the relevant Assembly functions are...
31 (1) Her Majesty may by Order in Council provide for—...
32 (1) This paragraph applies so far as may be necessary...

Functions transferred by Order in Council under section 22 of the Government of Wales Act 1998: Parliamentary and Assembly procedure

- 33 (1) This paragraph applies where— (a) a function to make...

Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure

- 34 (1) This paragraph applies where— (a) a function to make...
35 (1) This paragraph applies where— (a) a function to make...

Instrument containing provisions under transferred power and provision under power in section 2(2) of the European Communities Act 1972: Assembly procedure

- 35A (1) —(1) Paragraph 2A of Schedule 2 to the ECA 1972...

Transfers of Assembly functions: laying of reports and statements

- 36 (1) This paragraph applies where— (a) a function to make...
37 (1) This paragraph applies where— (a) a function to make...

Transfers of Assembly functions: property, rights and liabilities

- 38 (1) In paragraphs 39 and 40 “transferred function” means a...
39 (1) The property, rights and liabilities to which the Assembly...
40 (1) Her Majesty may by Order in Council provide that...
41 (1) The Secretary of State may by order provide for...
42 (1) A certificate issued by the Secretary of State that...

Criminal Liability of the Assembly

- 42A (1) —(1) In this paragraph, “ criminal liability of the Assembly...

Staff of the Assembly

- 43 (1) Subject as follows, at the end of the initial...

Powers to lend money

- 44 (1) This paragraph applies where— (a) a power to lend...

Local government scheme

- 45 (1) Any scheme under section 113(1) of the Government of...

Voluntary sector scheme

- 46 (1) Any scheme under section 114(1) of the Government of...

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Equality of opportunity arrangements

- 47 (1) Any arrangements under section 120(1) of the Government of...

Welsh language strategy and scheme

- 48 (1) The National Action Plan for a Bilingual Wales (or...

Sustainable development scheme

- 49 (1) Any scheme under section 121(1) of the Government of...

Orders in Council amending Schedule 5

- 50 (1) Section 95 has effect until the end of the...
51 Section 96 has effect until the end of the initial...

Assembly Measures: criminal penalties

- 52 (1) No term of imprisonment of more than six months...

Payments into the Welsh Consolidated Fund

- 53A No later than four weeks after a certified copy of...
53B (1) No later than four weeks after a certified copy...
53 No later than four weeks after a certified copy of...

Grants

- 54 Until the end of the initial period section 118(2) has...

Statement of estimated payments

- 55 In its application for the financial year beginning on 1st...

Destination of receipts

- 56 Until the end of the initial period section 120 has...

Borrowing

- 57 (1) Until the end of the initial period section 121(1)...

Payments out of Welsh Consolidated Fund.

- 58 Until the end of the initial period section 124(3) has...
59 Until the end of the initial period—

Annual Budget motions

- 60 (1) In its application for the financial year beginning on...

Supplementary Budget motions

- 61 (1) In its application for the financial year beginning on...

Contingencies

- 62 (1) Until the end of the initial period, section 128...

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Approvals to draw

- 63 (1) This paragraph applies until the end of the initial...
- 63A The function of the Assembly constituted by the Government of...
- 63B The function of the Assembly constituted by the Government of...
- 64A The members of staff employed by the Auditor General immediately...
- 64B The person appointed as the auditor of the accounts for...
- 64C Paragraph 15 of Schedule 8 (audit of accounts) applies to...
- 64D The reference in section 143(1) (Audit Committee reports) to any...
- 64E (1) Notwithstanding the repeal of section 100 of the Government...
- 64F Any sums required by the Assembly constituted by the Government...
- 64G Any sums required by the Assembly constituted by the Government...

Auditor General

- 64 The person who, immediately before the commencement of the repeal...

Advocate General for Northern Ireland

- 65 (1) Until the coming into force of section 27(1) of...

The Supreme Court

- 66 (1) Until the coming into force of section 23(1) of...
- 67 (1) This paragraph has effect until the coming into force...

SCHEDULE 12 — Repeals and revocations

Status:

Point in time view as at 07/11/2023.

Changes to legislation:

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