



# Government of Wales Act 2006

## 2006 CHAPTER 32

### PART 1

#### NATIONAL ASSEMBLY FOR WALES

##### *Legal issues*

#### **41 Proceedings by or against Assembly etc.**

- (1) Proceedings by or against the Assembly are to be instituted by or against the Assembly Commission on behalf of the Assembly.
- (2) Proceedings by or against—
  - (a) the Presiding Officer or Deputy Presiding Officer, or
  - (b) a member of the staff of the Assembly,are (unless instituted against or by the Assembly Commission) to be instituted by or against the Assembly Commission on behalf of the Presiding Officer, Deputy Presiding Officer or member of staff.
- (3) In any proceedings against the Assembly the court must not grant a mandatory, prohibiting or quashing order or an injunction, make an order for specific performance or stay the proceedings but may instead make a declaration.
- (4) In any proceedings against—
  - (a) any Assembly member,
  - (b) the Presiding Officer or Deputy Presiding Officer,
  - (c) any member of the staff of the Assembly, or
  - (d) the Assembly Commission,the court must not grant a mandatory, prohibiting or quashing order or an injunction, make an order for specific performance or stay the proceedings if the effect of doing so would be to give any relief against the Assembly which could not have been given in proceedings against the Assembly.

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*Status: Point in time view as at 18/12/2019. This version of this provision has been superseded.*

*Changes to legislation: Government of Wales Act 2006, Section 41 is up to date with all changes known to be in force on or before 17 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)*

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(5) References in this section to an order include an order which is not final.

**Commencement Information**

**II** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

**Status:**

Point in time view as at 18/12/2019. This version of this provision has been superseded.

**Changes to legislation:**

Government of Wales Act 2006, Section 41 is up to date with all changes known to be in force on or before 17 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.