
EXPLANATORY NOTE

(This note is not part of the Order)

This is the first commencement order made by the Welsh Ministers under the Local Government and Elections (Wales) Act 2021 (“the Act”).

Article 2 of this Order brings the following provisions of the Act into force on the day after the day on which the Order is made—

- (a) section 28 (general power of competence: powers to make supplementary provision);
- (b) section 30(3) (condition of eligibility in relation to general power of competence for community councils and the power of the Welsh Ministers to make regulations in relation to that condition);
- (c) section 35 (power to amend or modify Chapter 2 of Part 2 of the Act);
- (d) section 46(1)(b), (c) and (2)(b) (the powers of the Welsh Ministers to make regulations in relation to electronic broadcasts of meetings of certain local authorities) to the extent necessary for the purpose of making regulations;
- (e) section 46(3), (4) and (8) to (10) (the powers of the Welsh Ministers to make regulations in relation to electronic broadcasts of meetings of certain local authorities);
- (f) section 47(8) (the power of the Welsh Ministers to amend section 47 of the Act in relation to attendance at local authority meetings);
- (g) section 59 (content of, and duty to have regard to, guidance under section 38 of the Local Government Act 2000 (“the 2000 Act”));
- (h) section 161(1) (head of democratic services: amendments to the Local Government (Wales) Measure 2011 (“the 2011 Measure”)).

Article 3 brings the following provisions of the Act into force on 1 April 2021—

- (a) section 163 (appointment by Local Democracy and Boundary Commission of its chief executive);
- (b) section 164 (directions under section 48 of the Local Government (Democracy) (Wales) Act 2013).

Article 4 brings into force provisions relating to the general power of competence on 1 November 2021.

Article 5 brings section 52 (annual reports by community councils) of the Act into force on 1 April 2022.

Article 6 brings the following provisions of the Act into force on 5 May 2022—

- (a) sections 30 (to the extent not already in force), 31 to 34, and 36 and 37 (general power of competence: eligible community councils);
- (b) Chapter 2 of Part 3 (public participation in decision-making by principal councils);
- (c) section 45 (principal councils’ duty to publish constitution and constitution guide);
- (d) section 46 (electronic broadcasts of meetings of certain local authorities) to the extent not already in force;
- (e) section 48 (participation at meetings of community councils);
- (f) section 54 (chief executives);

Changes to legislation: *There are currently no known outstanding effects for the The Local Government and Elections (Wales) Act 2021 (Commencement No. 1 and Saving Provision) Order 2021. (See end of Document for details)*

- (g) section 56 (amendments to the 2011 Measure relating to reconsideration of remuneration following direction by the Welsh Ministers);
- (h) section 57 (appointment of assistants to executive);
- (i) section 58 (job-sharing: executive leaders and executive members);
- (j) section 62 (duties of leaders of political groups in relation to standards of conduct);
- (k) section 63 (duty of standards committee to make annual report);
- (l) sections 65 and 66 (overview and scrutiny committees);
- (m) section 67 (community council training plans);
- (n) section 161 (head of democratic services: further amendments to the 2011 Measure and amendments to the Localism Act 2011) to the extent not already in force;
- (o) section 162 (abolition of polls consequent on a community meeting);
- (p) Part 2 of Schedule 3 (amendments relating to the general power of competence: eligible community councils);
- (q) Schedule 5 (consequential amendments relating to chief executives);
- (r) Schedule 6 (consequential amendments etc. relating to assistants to local authority executives) other than paragraph 6(5);
- (s) Schedule 7 (job-sharing by executive leaders and executive members);
- (t) Schedule 13 (abolition of polls consequent on community meetings under the Local Government Act 1972).

Article 7 saves sections 2 and 3 of the 2000 Act in relation to anything done by a community council before 5 May 2022 in pursuance of their power in section 2 of that Act until that thing has been completed or the community council has resolved to become an eligible community council under section 30(1) of the Act.

Changes to legislation:

There are currently no known outstanding effects for the The Local Government and Elections (Wales) Act 2021 (Commencement No. 1 and Saving Provision) Order 2021.