
WELSH STATUTORY INSTRUMENTS

2022 No. 372

**The Corporate Joint Committees
(General) (Wales) Regulations 2022**

PART 7

Records, documents and notices etc.

Records

25.—(1) A corporate joint committee must—

- (a) make arrangements for the proper care, preservation and management of the corporate joint committee’s records, and
- (b) make and maintain a scheme setting out those arrangements (a “records scheme”).

(2) A corporate joint committee must keep its records scheme under review and may revise the scheme.

(3) A corporate joint committee must consult the Welsh Ministers before making, or revising, a records scheme.

(4) Where a corporate joint committee arranges under regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021(1) (arrangements for the discharge of functions) for any of its functions relating to the proper care, preservation and management of its records to be discharged by—

- (a) another corporate joint committee, or
- (b) a county or county borough council in Wales,

the corporate joint committee must set out those arrangements in its records scheme.

(5) Where a corporate joint committee’s records relate to the area, or part of the area, of another corporate joint committee, that other corporate joint committee may inspect those records, and take copies of them, free of charge.

(6) For the purposes of this regulation, a corporate joint committee’s records are records—

- (a) in any form, and any medium, capable of conveying information, and
- (b) which belong to, or are in the custody of, the corporate joint committee.

Deposit of documents with proper officer

26. In section 225(3) of the 1972 Act (deposit of documents with proper officer), after “joint authority” insert “, a corporate joint committee”.

Inspection of documents

27. After section 228(9) of the 1972 Act (inspection of documents), insert—

“(10) Subsections (2) to (7) apply to a corporate joint committee as they apply to a local authority and, in that application, references to a local government elector for the area of the authority are to be read as references to a local government elector for any local government area in the area specified as the corporate joint committee’s area in regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 establishing the corporate joint committee.”

Copies of documents

28. In section 229(8) of the 1972 Act (photographic copies of documents), after “includes” insert “a corporate joint committee,”.

Service of notices to a corporate joint committee

29. In section 231 of the 1972 Act (service of notices on local authorities)—

(a) in subsection (4), after “includes” insert “a corporate joint committee,”;

(b) after that subsection insert—

“(5) In the application of subsection (1) to a corporate joint committee—

(a) references to the chairman are to be read as references to the chairperson of the corporate joint committee, and

(b) references to the principal office are to be read as references to—

(i) the principal office of the corporate joint committee, or

(ii) a principal office of a local authority for a county or county borough in Wales which is within the area specified as the corporate joint committee’s area in regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 establishing the corporate joint committee.”

Public notices

30. In section 232 of the 1972 Act (public notices)—

(a) in subsection (1A), after “includes” insert “a corporate joint committee,”;

(b) after that subsection insert—

“(1B) In the application of subsection (1) to a corporate joint committee, the reference to the corporate joint committee’s area is to be read as a reference to the area specified as the corporate joint committee’s area in regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 establishing the corporate joint committee.”

Service of notices by a corporate joint committee

31.—(1) Paragraph (2) applies where an enactment requires (in whatever terms) a corporate joint committee to—

(a) notify a person of something, or

(b) give a notice or other document to a person (including a copy of a document or a revised document).

(2) The notification or document may be given to the person in question—

(a) by being hand delivered to the person;

- (b) by leaving it at the person's proper address;
 - (c) by being sent to the person's proper address by post;
 - (d) by being sent electronically to the person.
- (3) For the purposes of paragraph (2), a person's proper address is—
- (a) in the case of a body corporate, the address of the registered or principal office of the body;
 - (b) in the case of a partnership, the address of the principal office of the partnership;
 - (c) in any other case, the person's last known address.
- (4) If a person has specified an address in the United Kingdom other than the person's proper address within the meaning of paragraph (3) as an address to which notifications or documents may be delivered, the specified address is also to be treated as the person's proper address for the purposes of paragraph (2).
- (5) A notification or document is to be treated as having been hand delivered under paragraph (2)
- (a)—
- (a) in the case of a body corporate, if it is hand delivered to the secretary or clerk of the body;
 - (b) in the case of a partnership, if it is hand delivered to a partner or a person having the control or management of the partnership business.
- (6) If a corporate joint committee cannot ascertain the name or address of any owner, lessee or occupier of land to whom a notification or document is to be given by virtue of a requirement referred to in paragraph (1), the notification or document may be given—
- (a) by hand delivering it to a person who is or appears to be resident or employed on the land, or
 - (b) by leaving it conspicuously affixed to some building or object on the land.
- (7) Where the requirement referred to in paragraph (1) is contained in a non-LWA enactment—
- (a) a notification or document is sent electronically to a person if—
 - (i) an electronic communication consisting of or containing the notification or document, or to which the notification or document is attached, is properly addressed and sent to the person, and
 - (ii) it is sent in an electronic form which is capable of being accessed and retained by the person;
 - (b) a notification or document given by means of being sent electronically is deemed to be given, unless the contrary is proved, on the day on which the electronic communication is sent;
 - (c) see section 7 of the Interpretation Act 1978⁽²⁾ (references to service by post), or section 26 of the Interpretation Act 1889 (meaning of service by post), for provision about when a document sent by post is deemed to have been given to a person.
- (8) Where the requirement referred to in paragraph (1) is contained in an LWA enactment, see sections 13 (service of documents by post or electronically) and 14 (day on which service is deemed to be effective) of the Legislation (Wales) Act 2019⁽³⁾ for provision about giving documents by post or electronically.
- (9) In this regulation—
- (a) an "LWA enactment" means—
 - (i) an Act of Senedd Cymru, or

(2) 1978 c. 30.

(3) 2019 anaw 4.

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- (ii) a Welsh subordinate instrument within the meaning given by section 3(2) of the Legislation (Wales) Act 2019 (legislation to which this Part applies),
to which Part 2 of the Legislation (Wales) Act 2019 applies;
- (b) a “non-LWA enactment” means an enactment to which Part 2 of the Legislation (Wales) Act 2019 does not apply.

Authentication of documents

32. In section 234(4) of the 1972 Act (authentication of documents), after “includes” insert “a corporate joint committee,”.