

*These notes refer to the Local Government Byelaws (Wales) Act 2012 (c.2) which received Royal Assent on 29 November 2012*

# LOCAL GOVERNMENT BYELAWS (WALES) ACT 2012

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Section 4 – Revocation by a legislating authority*

5. [Section 4](#) recasts, in part, section 236B of the 1972 Act. It provides a power for a legislating authority to make a byelaw revoking a byelaw it has previously made where, there exists no other power to do so. This will allow legislating authorities to remove obsolete byelaw provisions. A legislating authority will be able to replace an obsolete byelaw (which it revokes pursuant to its powers under section 4) with a new byelaw.
6. Where a legislating authority makes a byelaw in exercise of its powers pursuant to this section, the byelaw does not require confirmation where the enactment under which the original byelaws was made is listed in Part 1 of Schedule 1 to the Act. However where the original byelaw was made under an enactment not listed in Part 1 of Schedule 1, then the procedure in section 7 will apply to the revocation of the byelaws and confirmation will be required.