



Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

PART 2

LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES

Staff, experts and assistant commissioners

8 Chief executive

- (1) The Commission must employ a chief executive.
- (2) The chief executive is to be appointed by the [^{F1}Commission] on such terms and conditions as [^{F2}it] may determine (including conditions as to remuneration, pension, allowances and expenses).
- [^{F3}(2A) But if the office of chief executive has been vacant for more than six months, the Welsh Ministers may appoint a chief executive on such terms and conditions as they may determine (including conditions as to remuneration, pension, allowances and expenses).]
- (3) Before appointing a chief executive [^{F4}under subsection (2A),] the Welsh Ministers must consult the Commission.
- [^{F5}(4) The chief executive may not be—
 - (a) a member of Parliament;
 - (b) a Member of the Senedd;
 - (c) a member of a local authority;
 - (d) an officer of a local authority;
 - (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Cross Heading: Staff, experts and assistant commissioners. (See end of Document for details)

- (5) The Commission must, in exercising its functions under this section, have regard to any guidance issued by the Welsh Ministers.]

Textual Amendments

- F1** Word in s. 8(2) substituted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(2\)\(a\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F2** Word in s. 8(2) substituted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(2\)\(b\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F3** S. 8(2A) inserted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(3\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F4** Words in s. 8(3) inserted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(4\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)
- F5** S. 8(4)(5) inserted (1.4.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), ss. 163\(5\), 175\(7\); S.I. 2021/231, reg. 3\(a\)](#)

9 Other staff

- (1) The Commission may employ staff.
- (2) Staff are to be employed on terms and conditions determined by the Commission (including conditions as to remuneration, pension, allowances and expenses).
- (3) The Commission must consult the Welsh Ministers before determining the amounts payable to its staff in respect of remuneration, pensions, allowances and expenses.

10 Experts

- (1) The Commission may appoint a person (an “expert”) to assist it in the exercise of its functions.
- (2) Before appointing an expert the Commission must consult the Welsh Ministers.
- (3) An appointment under subsection (1) may not be made unless the Commission is satisfied that the expert has knowledge, experience or expertise relevant to the exercise of its functions.
- (4) The Commission may pay the expert such remuneration, allowances or expenses as it may determine.
- (5) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to an expert.

11 Assistant commissioners

- (1) The Commission may appoint a person (an “assistant commissioner”) to whom, for the purposes of section 13, it may delegate functions.
- (2) But the Commission may not appoint a person who is—
 - (a) a member of Parliament;
 - (b) a member of the National Assembly for Wales;
 - (c) a member of a local authority^{F6}...;

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- (d) an officer of a local authority ^{F7}...;
 - (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales; or
 - (g) a member of the Commission's staff.
- (3) Before appointing an assistant commissioner the Commission must consult the Welsh Ministers.
- (4) The Commission may pay an assistant commissioner such remuneration, allowances or expenses as it may determine.
- (5) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to an assistant commissioner.

Textual Amendments

- F6** Words in s. 11(2)(c) omitted (1.4.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 163(6)**, 175(7); S.I. 2021/231, reg. 3(a)
- F7** Words in s. 11(2)(d) omitted (1.4.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 163(6)**, 175(7); S.I. 2021/231, reg. 3(a)

Changes to legislation:

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