

LOCAL GOVERNMENT (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 13 – Functions of transition committees

26. [Section 13](#) makes provision for the functions of a transition committee. It requires a transition committee to advise and make recommendations to the merging authorities and to the shadow authority for the new principal area :
- on the economic, effective and efficient transfer of functions, staff and property rights and liabilities from the merging authorities to the new principal local authority,
 - on ensuring the new principal local authority and its staff are in a position to carry out its functions effectively from the time when it assumes them; and
 - for any other purpose which the Welsh Ministers specify in directions.
27. [Section 13\(2\) to \(4\)](#) enables the Welsh Ministers to give a direction to one or more transition committees, requiring them to exercise their functions in accordance with the direction. A transition committee must comply with any direction given and a direction can, at any time, be revoked or varied by the Welsh Ministers by giving another direction.
28. [Section 13\(5\)](#) concerns the power of Welsh Ministers to issue guidance to transition committees on the exercise of their functions; and a transition committee must have regard to any such guidance.
29. [Section 13\(6\)](#) prevents an audit committee or an overview or scrutiny committee of a merging authority from carrying out its functions in respect of anything done by the transition committee. Transition committees will not be empowered to take decisions on policy, strategic or operational matters in respect of the new or existing authority; their roles will be advisory and to make recommendations. The relevant audit and scrutiny committees would be able to consider any decisions taken by new or existing authorities in light of advice or recommendations from the transition committees.