



# Local Government (Wales) Act 2015

2015 anaw 6

*Restraints on transactions and recruitment etc. by merging authorities*

## 34 Interpretation of sections 29 to 36

- (1) In sections 29 and 35, “relevant land acquisition or disposal” means the acquisition or disposal of land if the consideration for the acquisition or disposal exceeds £150,000.
- (2) In subsection (1) the reference to the acquisition or disposal of land includes—
  - (a) the acquisition or grant or disposal of any interest in land,
  - (b) entering into a contract to acquire or dispose of land or to acquire or grant or dispose of any interest in land, and
  - (c) acquiring or granting an option to acquire any land or any interest in land.
- (3) In sections 29 and 35, “relevant contract or agreement” means—
  - (a) any contract, other than a capital contract, under which the consideration exceeds £150,000 where—
    - (i) the period of the contract extends beyond the transfer date, or
    - (ii) under the terms of the contract, that period may be extended beyond the transfer date,
  - (b) any capital contract under which the consideration exceeds £500,000, or
  - (c) any framework agreement within the meaning of regulation 2(1) of the [Public Contracts Regulations 2006 \(S.I. 2006/5\)](#) where—
    - (i) the period of the framework agreement extends beyond the transfer date, or
    - (ii) under the terms of the framework agreement, that period may be extended beyond the transfer date.
- (4) In subsection (3) “capital contract” means a contract in respect of which the consideration payable by the merging authority is expenditure which is capital expenditure for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance).

- (5) In sections 29 and 35, “relevant capital acquisition” means an acquisition of share capital or loan capital in any body corporate in respect of which the consideration exceeds £500,000, other than an acquisition of loan capital where—
- (a) the acquisition of the loan capital is an investment for the purposes of the prudent management of the merging authority’s financial affairs, and
  - (b) the investment is admitted to an official list maintained by a competent authority in an EEA State.
- (6) In subsection (5) (and this subsection)—
- “competent authority” (“*awdurdod cymwys*”) means an authority which is responsible for maintaining the official list in an EEA State;
- “official list” (“*rhestr swyddogol*”)—
- (a) in relation to the United Kingdom, has the meaning given by section 103(1) of the Financial Services and Markets Act 2000, and
  - (b) in relation to any other EEA State means the equivalent list maintained by the competent authority of that State.
- (7) In sections 29 and 35, “relevant grant or other financial assistance” means a grant or other financial assistance (other than a loan) of more than £150,000.
- (8) In sections 29 and 35, “relevant loan” means a loan of more than £150,000 where—
- (a) the period of the loan extends beyond the transfer date, or
  - (b) under the terms of the loan, that period may be extended beyond the transfer date.
- (9) In sections 29 to 32 and 36, “specified” means specified in a direction given under section 29.