



Local Government (Wales) Act 2015

2015 anaw 6

Restraints on transactions and recruitment etc. by merging authorities

35 Determining whether financial limits have been exceeded

- (1) For the purpose of making a determination as to whether a financial limit set out in section 34 is exceeded—
 - (a) in the case of a relevant land acquisition or disposal, the consideration for any other acquisition or disposal of land relating to the same or a similar description of matter made by the merging authority after 26 January 2015 (which was the day on which the Bill for this Act was introduced in the National Assembly for Wales) is to form part of the determination;
 - (b) in the case of a relevant contract or agreement, the consideration under any other contract or agreement relating to the same or a similar description of matter entered into by the merging authority after 26 January 2015 is to form part of the determination;
 - (c) in the case of a relevant capital acquisition, the consideration in respect of the acquisition of share capital or loan capital in the same body corporate made by the merging authority after 26 January 2015 (other than an acquisition where the conditions set out in paragraphs (a) and (b) of section 34(5) are met) is to form part of the determination;
 - (d) in the case of a relevant grant or other financial assistance, the amount of any grant or other financial assistance (other than a loan) given by the merging authority to the same person after 26 January 2015 is to form part of the determination;
 - (e) in the case of a relevant loan, the amount of any loan made by the merging authority to the same person after 26 January 2015 is to form part of the determination.
- (2) Where the consideration or any of the consideration in respect of a transaction is not in money, the limits set out in section 34 apply to the value of the consideration.
- (3) Where, in determining whether a limit set out in section 34 is exceeded, a question arises as to the value of the consideration in relation to a transaction and the persons

Status: This is the original version (as it was originally enacted).

concerned fail to reach agreement, for the purposes of the determination the question is to be decided by the Welsh Ministers.

- (4) The Welsh Ministers may by regulations substitute a different figure for that for the time being set out in subsection (1), (3)(a) or (b), (5), (7) or (8) of section 34.