



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 6

### PERFORMANCE AND GOVERNANCE OF PRINCIPAL COUNCILS [F1AND CORPORATE JOINT COMMITTEES]

#### CHAPTER 2

##### GOVERNANCE AND AUDIT COMMITTEES: MEMBERSHIP AND PROCEEDINGS

#### **116 Membership of governance and audit committee**

- (1) Section 82 of the 2011 Measure (membership) is amended as follows.
- (2) In subsection (2)—
  - (a) in paragraph (a) omit the words “at least”;
  - (b) for paragraph (b) substitute—

“(b) one-third of the members of that committee are lay persons;”.
- (3) After subsection (5) insert—

“(5A) A governance and audit committee is to appoint—

  - (a) a member of the committee as its chair (“the committee chair”), and
  - (b) a member of the committee as the deputy to the committee chair (“the deputy chair”).

(5B) The member appointed as the committee chair must be a lay person.

(5C) The member appointed as the deputy chair must not be a member of the local authority’s executive or an assistant to its executive.”
- (4) Omit subsection (6).

*Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, CHAPTER 2. (See end of Document for details)*

- (5) In Schedule 10 to this Act (consequential amendments relating to governance and audit committees), omit paragraph 4(b)(ii) and (f).

**Commencement Information**

**I1** S. 116 in force at 5.5.2022 by S.I. 2021/297, art. 3(b)

**117 Meaning of lay person**

In section 87 of the 2011 Measure (interpretation), in subsection (2) omit the definition of “lay member” and insert—

““lay person” (“*lleygwr*”) means a person who—

- (a) is not a member or an officer of any local authority,
- (b) has not at any time in the period of twelve months ending with the date of that person's appointment been a member or an officer of any local authority, and
- (c) is not the spouse or civil partner of a member or an officer of any local authority;”.

**Commencement Information**

**I2** S. 117 in force at 5.5.2022 by S.I. 2021/297, art. 3(b)

**118 Proceedings etc.**

(1) Section 83 of the 2011 Measure (proceedings) is amended as follows.

(2) For subsections (1) and (2) substitute—

“(1) A meeting of a governance and audit committee is to be chaired—

- (a) by the committee chair, or
- (b) if the committee chair is absent, by the deputy chair.

(2) If both the committee chair and the deputy chair are absent the committee may appoint a member of the committee who is not a member of the local authority's executive, or an assistant to its executive, to chair the meeting.”

(3) Omit subsection (8).

(4) In Schedule 6 to this Act (assistants to executives), omit paragraph 6(5).

(5) In Schedule 10 to this Act (consequential amendments relating to governance and audit committees), omit paragraph 5(a) and (b).

**Commencement Information**

**I3** S. 118 in force at 5.5.2022 by S.I. 2021/297, art. 3(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, CHAPTER 2.