



# Government of Wales Act 1998

## 1998 CHAPTER 38

### PART VII

#### SUPPLEMENTARY

#### 151 Power to amend enactments.

- (1) The Secretary of State may by order make in any enactment—
- (a) contained in an Act passed before or in the same session as this Act, or
  - (b) made before the passing of this Act or in the session in which this Act is passed,
- such amendments or repeals as appear to him to be appropriate in consequence of this Act.
- (2) An Order in Council under section [F158 of the Government of Wales Act 2006] may include any provision that may be included in an order under subsection (1).

#### Textual Amendments

- F1** Words in [s. 151\(2\)](#) substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 52} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(4\)\(c\)\(5\)](#) of the amending Act

#### 152 Repeals.

Schedule 18 (which contains repeals, including repeals of spent enactments) has effect.

#### Commencement Information

- II** [S. 152](#) partly in force; [S. 152](#) not in force at Royal Assent, see [s. 158](#); [s. 152](#) in force for certain purposes at 2.9.1998, 1.10.1998, and 1.11.1998 by [S.I. 1998/2244](#), [arts. 3, 4, 5](#); [s. 152](#) in force for

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certain purposes at 1.2.1999 by S.I. 1999/118, art. 2; s. 152 in force for certain purposes at 1.4.1999 by S.I. 1999/782, art. 2; s. 152 in force for certain purposes at 1.7.1999 by S.I. 1999/1290, art. 4

### 153 Transitional provisions etc.

- (1) The Secretary of State may by order make such transitional, consequential, incidental or supplementary provision, or such savings, as he considers appropriate for the purpose of or in connection with the coming into force of any provision of this Act.
- (2) If section 107 comes into force before the Human Rights Act 1998 has come into force (or come fully into force), that section shall have effect until the time when that Act is fully in force as it will have effect after that time.

### 154 Orders and directions.

- (1) Any power of a Minister of the Crown or the [<sup>F2</sup>Welsh Ministers] under this Act to make an order shall be exercisable by statutory instrument.
- (2) No order to which this subsection applies shall be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.
- (3) Subsection (2) applies—
  - (a) <sup>F3</sup> .....
  - (b) to an order under section <sup>F4</sup> . . . 133(3), 139(3), 143(3), <sup>F5</sup> . . . 146(1), <sup>F6</sup> ... or 151 <sup>F7</sup>... which contains provisions in the form of amendments or repeals of enactments contained in an Act.
- (4) <sup>F8</sup> .....
- (5) A statutory instrument containing an order to which this subsection applies shall (unless a draft of the statutory instrument has been approved by a resolution of each House of Parliament) be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Subsection (5) applies—
  - (a) to an order under section <sup>F9</sup> . . . 130(4), 133(3), 136(4), 139(3), 140(5), 143(3), <sup>F10</sup> . . . 146(1), <sup>F11</sup> ..., 151 or 153, paragraph 2 of Schedule 6 <sup>F12</sup> ... <sup>F13</sup> . . . , <sup>F14</sup> . . .
  - (b) <sup>F15</sup> .....
- (7) <sup>F16</sup> .....
- (8) Any power conferred by this Act to give a direction includes power to vary or revoke the direction.

#### Textual Amendments

- F2** Words in s. 154(1) substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 53(2)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) (subject to s. 161(6)) of the amending Act
- F3** Words in s. 154(3)(a) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(3)(a), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately

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- after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F4** Words in s. 154(3)(b) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(3)(b)(i), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F5** Words in s. 154(3)(b) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(3)(b)(ii), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F6** Word in s. 154(3)(b) omitted (with effect in accordance with art. 1(3) of the amending S.I.) by virtue of [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **11(3)** (with art. 24)
- F7** Words in s. 154(3)(b) omitted (with effect in accordance with art. 1(3) of the amending S.I.) by virtue of [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **15(3)(a)** (with art. 24)
- F8** S. 154(4) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(4), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F9** Words in s. 154(6)(a) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(5)(a)(i), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F10** Words in s. 154(6)(a) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(5)(a)(ii), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F11** Word in s. 154(6)(a) omitted (with effect in accordance with art. 1(3) of the amending S.I.) by virtue of [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **11(3)** (with art. 24)
- F12** Words in s. 154(6)(a) omitted (with effect in accordance with art. 1(3) of the amending S.I.) by virtue of [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **15(3)(b)** (with art. 24)
- F13** Words in s. 154(6)(a) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(5)(a)(iii), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F14** Word in s. 154(6)(a) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(5)(a)(iii), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F15** S. 154(6)(b) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(5)(b), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F16** S. 154(7) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(6), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act

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**155 Interpretation.**

(1) In this Act—

<sup>F17</sup> .....  
<sup>F17</sup> .....

<sup>F18</sup>“the Assembly” means the National Assembly for Wales,]

<sup>F19</sup>“Audit Committee” has the meaning given by section 30 of the Government of Wales Act 2006,]

<sup>F20</sup>“cross-border body” means any body (including a government department) or undertaker exercising functions, or carrying on activities, in or with respect to Wales (or any part of Wales) and anywhere else,]

<sup>F21</sup>“English border area” means a part of England adjoining Wales (but not the whole of England),]

“enactment” includes subordinate legislation,

“functions” includes powers and duties,

“Minister of the Crown” includes the Treasury,

“subordinate legislation” has the same meaning as in the <sup>M1</sup>Interpretation Act 1978, and

<sup>F22</sup>“Wales” has the same meaning as in the Government of Wales Act 2006;]

and related expressions shall be construed accordingly.

(2) <sup>F23</sup> .....

(3) In this Act “financial year” means the twelve months ending with 31st March <sup>F24</sup> . . . .

(4) Section 13 of the <sup>M2</sup>National Audit Act 1983 (interpretation of references to the Committee of Public Accounts) applies for the purposes of this Act as for those of that Act.

**Textual Amendments**

**F17** S.155(1): the definitions of "Community Law and delegate" repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 54(3), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act

**F18** S. 155(1): the definition of "the Assembly" inserted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 54(2)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act

**F19** S. 155(1): the definition " Audit Committee" inserted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 54(2)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act

**F20** S. 155(1): the definition "cross-border body" inserted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 54(2)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act

**F21** S. 155(1): the definition " English border area" inserted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 54(2)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act

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- F22** S. 155(1): the definition "Wales" substituted by the Government of Wales Act 2006, (c. 32), ss. 160, 161, {Sch. 10 para. 54(2)} (with Sch. 11), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(5) of the amending Act
- F23** S. 155(2) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 54(5), {Sch. 12} (with Sch. 11), the amending/ repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act
- F24** Words in s. 155(3) repealed by the Government of Wales Act 2006, (c. 32), ss. 160, 161, 163, Sch. 10 para. 53(6), {Sch. 12} (with Sch. 11), the repealing provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) (subject to s. 161(6)) of the amending Act

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**Marginal Citations**

- M1** 1978 c. 30.  
**M2** 1983 c. 44.

**156 Defined expressions.**

**F25** .....

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**Textual Amendments**

- F25** S. 156 repealed by Government of Wales Act 2006 (c. 32), ss. 161, 163, Sch. 12 (with Sch. 11), the repealing provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) (which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007)) and s. 161(6) of the amending Act - see ss. 46, 161(1)(4)-(6) of the amending Act.

**157 Financial provisions.**

- (1) There shall be paid out of money provided by Parliament—
  - (a) any expenditure incurred by any Minister of the Crown or government department under or by virtue of this Act, and
  - (b) any increase attributable to this Act in the sums payable out of money so provided under any other enactment.
- (2) There shall be paid out of the National Loans Fund any increase attributable to this Act in the sums payable out of that Fund under any other enactment.
- (3) There shall be paid into the National Loans Fund any increase attributable to this Act in the sums payable into that Fund under any other enactment.
- (4) There shall be paid into the Consolidated Fund any sums received by the Secretary of State under or by virtue of this Act (apart from any required to be paid into the National Loans Fund).

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## 158 Commencement.

- (1) Parts I and II, the provisions of Part III other than sections 50 and 51, Parts IV to VI and section 152 (and Schedule 18) shall not come into force until such day as the Secretary of State may by order appoint.
- (2) Different days may be appointed under this section for different purposes.

### Subordinate Legislation Made

- P1** [S. 158](#) power partly exercised: different dates appointed for specified provisions by [S.I. 1998/2244](#)  
[S. 158](#) power partly exercised: 1.12.1998 appointed for specified provisions by [S.I. 1998/2789](#)  
[S. 158](#) power partly exercised: 1.2.1999 appointed for specified provisions by [S.I. 1999/118](#)  
[S. 158](#) power partly exercised: 1.4.1999 appointed for specified provisions by [S.I. 1999/782](#)  
[S. 158](#) power partly exercised: different dates appointed for specified provisions by [S.I. 1999/1290](#)  
[S. 158](#) power partly exercised: 14.5.2001 appointed for specified provisions by [S.I. 2001/1756](#)

## 159 Short title.

This Act may be cited as the Government of Wales Act 1998.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 104(1A) inserted by [2022 asc 1 s. 68\(6\)\(a\)](#)
- Sch. 1 para. 5A5B by [2000 c. 41 Sch. 3 para. 10\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 paras. 8-16 repealed without ever being in force by Government of Wales Act 2006 (c. 32), s. 163, {Sch. 12} (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.)
- Sch. 17 para. 11A inserted by [2022 asc 1 Sch. 4 para. 12\(4\)\(b\)](#)