



# Local Government (Wales) Measure 2009

2009 nawm 2

## PART 1

### LOCAL GOVERNMENT IMPROVEMENT

#### *Other functions of the Auditor General for Wales*

#### **21 Special inspections**

- (1) The Auditor General for Wales may carry out an inspection of a Welsh improvement authority's compliance with the requirements of this Part if—
  - (a) the Auditor General is of the opinion that the authority may fail to comply with the requirements of this Part; or
  - (b) any relevant regulator informs the Auditor General that, in the regulator's opinion, the authority may fail to comply with the requirements of this Part.
- (2) But the Auditor General must, before deciding whether to carry out an inspection—
  - (a) consult the Welsh Ministers; and
  - (b) in a case where the Auditor General has stated in a report under section 19(1)(h) that the Auditor General is minded to carry out a special inspection, consider any statement made by the authority in response in accordance with section 20(3).
- (3) An inspection under subsection (1) may relate to some or all of an authority's functions.
- (4) If the Welsh Ministers direct the Auditor General for Wales to carry out an inspection of compliance with the requirements of this Part by a Welsh improvement authority, the Auditor General must comply with the direction.
- (5) A direction under subsection (4) may relate to some or all of an authority's functions.
- (6) Before giving a direction under subsection (4), the Welsh Ministers must consult the Auditor General.

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*Status: This is the original version (as it was originally enacted).*

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- (7) The Auditor General for Wales must notify a Welsh improvement authority if—
  - (a) the Auditor General decides to carry out an inspection of the authority under subsection (1); or
  - (b) the Welsh Ministers have directed the Auditor General to carry out an inspection of the authority under subsection (4).
- (8) The notification must specify the functions to which the inspection relates.
- (9) In carrying out an inspection, and, in the case of an inspection under subsection (1), deciding whether to do so, the Auditor General must have regard to any guidance issued by the Welsh Ministers.
- (10) For the purposes of this Part, an inspection under this section is referred to as a special inspection.
- (11) In this section a reference to an authority's functions includes a reference to arrangements made to facilitate or support the exercise of its functions.