



Government of Wales Act 1998

1998 CHAPTER 38

PART VI

REFORM OF WELSH PUBLIC BODIES

The Welsh Development Agency

126 Extension of functions

- (1) Section 1 of the Welsh Development Agency Act 1975 (functions of Agency and purposes for which they may be exercised) is amended as follows.
- (2) In subsection (2) (purposes for which functions may be exercised)—
 - (a) in paragraph (a) (furtherance of economic development of Wales or a part of Wales), after “economic” insert “and social”, and
 - (b) in paragraph (b) (promotion of industrial efficiency in Wales), for “industrial efficiency” substitute “efficiency in business”.
- (3) In subsection (3) (functions)—
 - (a) in paragraph (a) (promotion of Wales as location of industrial development), for “of industrial development” substitute “for businesses”,
 - (b) in paragraphs (b), (c), (f), (g) and (j) (functions relating to industrial undertakings), for “industrial undertakings” (in each place) substitute “businesses”,
 - (c) in paragraph (d) (promotion etc. of an industry or an undertaking in an industry), for “an industry or any undertaking in an industry” substitute “businesses, or a particular business or particular businesses”, and
 - (d) after that paragraph insert—

“(da) to make land available for development;”.
- (4) In subsection (8) (power to make grants not to be used in connection with functions of providing finance for carrying on of industrial undertakings), for “shall not be used in connection with those functions” substitute “may only be exercised in connection

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with those functions in accordance with a programme approved by the Secretary of State under subsection (15) below”.

127 Land acquisition and disposal etc

Schedule 13 (amendments of Welsh Development Agency Act 1975 and other enactments for conferring on Welsh Development Agency functions relating to the acquisition of land etc.) has effect.

128 Other amendments

Schedule 14 (other amendments relating to Welsh Development Agency) has effect.

The Development Board for Rural Wales

129 Cessation of functions

- (1) The functions of the Development Board for Rural Wales shall cease to exist.
- (2) Schedule 15 (amendments of enactments relating to that Board in consequence of subsection (1)) has effect.

130 Transfer of property, staff etc. to Welsh Development Agency

- (1) There shall be transferred to and vest in the Welsh Development Agency by virtue of this subsection all property, rights and liabilities to which the Development Board for Rural Wales is entitled or subject when the functions of that Board cease to exist.
- (2) A certificate issued by the Secretary of State that any property has been transferred by subsection (1) shall be conclusive evidence of the transfer.
- (3) Subsection (1) has effect in relation to property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by that subsection.
- (4) Subsection (1) does not have effect to continue in force any contract of employment; but the Secretary of State may by order make provision for the transfer of staff of the Development Board for Rural Wales.
- (5) An order under subsection (4) may make any appropriate consequential, incidental, supplementary or transitional provisions or savings.

131 Transitional provisions

- (1) Nothing in section 129 or Schedule 15, or in any repeal made by this Act, affects the validity of anything done by or in relation to the Development Board for Rural Wales before its functions cease to exist.
- (2) There may be continued by or in relation to the Welsh Development Agency anything (including legal proceedings) which—
 - (a) relates to any of the functions of the Development Board for Rural Wales or to any property, rights or liabilities transferred by section 130(1), and

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- (b) is in the process of being done by or in relation to that Board when its functions cease to exist.
- (3) Anything which—
- (a) was done by the Development Board for Rural Wales for the purpose of or in connection with any of its functions or any property, rights or liabilities transferred by section 130(1), and
 - (b) is in effect immediately before its functions cease to exist,
- shall have effect as if done by the Welsh Development Agency.
- (4) The Welsh Development Agency shall be substituted for the Development Board for Rural Wales in any instruments, contracts or legal proceedings which—
- (a) relate to any of the functions of that Board or to any property, rights or liabilities transferred by section 130(1), and
 - (b) are made or commenced before its functions cease to exist.

132 Winding-down

- (1) The Development Board for Rural Wales shall give to the Welsh Development Agency all the information, prepare all the documents and do all other things which appear to that Agency appropriate for the purpose of facilitating—
- (a) the carrying into effect of sections 130, 131 and 133 and Schedule 15, or
 - (b) the exercise of any functions imposed on that Agency, or conferred on the Secretary of State, by this section;
- and the Development Board for Rural Wales may do anything else which appears to it appropriate for that purpose.
- (2) The Development Board for Rural Wales shall comply with section 3(1)(e) of the Development of Rural Wales Act 1976 (reports)—
- (a) in relation to the last accounting year ending before its functions cease to exist (if it has not done so before then), and
 - (b) in relation to the period between the end of that accounting year and the time when its functions cease to exist (to which period that provision shall apply as if it were an accounting year).
- (3) As from the time when the functions of the Development Board for Rural Wales cease to exist, the Welsh Development Agency shall make available to that Board such facilities as that Board may reasonably require for exercising its functions under this section.
- (4) The statement of accounts prepared by the Welsh Development Agency in accordance with paragraph 8(1) of Schedule 3 to the Welsh Development Agency Act 1975 in respect of the accounting year in which the functions of the Development Board for Rural Wales cease to exist shall include a statement of accounts relating to the activities of that Board—
- (a) in respect of the last accounting year ending before the time when those functions cease to exist (if that Board has not before that time prepared a statement of accounts in accordance with section 14(1) of the Development of Rural Wales Act 1976 in relation to that accounting year), and
 - (b) in respect of the period between the end of that accounting year and that time.

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- (5) The Secretary of State may pay to members of the Development Board for Rural Wales—
- (a) any remuneration which he considers appropriate in respect of the performance of their duties as members of that Board after the time when its functions cease to exist, and
 - (b) any allowances which he determines should be paid to them in respect of expenses properly incurred by them in the performance of those duties after that time.
- (6) The Secretary of State may determine that, as from the time when the functions of the Development Board for Rural Wales cease to exist or any later time, the number of members of that Board shall be reduced to a number which he considers appropriate (and may, accordingly, remove any such members from office).
- (7) In this section “accounting year” means the period of twelve months ending with 31st March.

133 Abolition etc

- (1) The Development Board for Rural Wales shall cease to exist when the Secretary of State, being satisfied that its duties under section 132 have been discharged, by order so directs.
- (2) No amendment or repeal made by this Act or by virtue of subsection (3) affects—
- (a) the continuance of the Development Board for Rural Wales for the purpose of exercising its functions under section 132, or
 - (b) the continued operation for that purpose of any enactment relating to the Development Board for Rural Wales.
- (3) The Secretary of State may by order make any consequential, incidental, supplementary or transitional provisions, and any savings, which appear to him to be appropriate in consequence of or otherwise in connection with—
- (a) the functions of the Development Board for Rural Wales ceasing to exist under section 129,
 - (b) the transfer of property, rights and liabilities of that Board by section 130(1),
 - (c) the abolition of that Board, or
 - (d) the repeal by this Act of any provision of the Development of Rural Wales Act 1976.
- (4) An order under subsection (3) may include provisions in the form of amendments or repeals of any of sections 129 to 132, Schedule 15 or any other enactment.

The Land Authority for Wales

134 Cessation of functions

The functions of the Land Authority for Wales shall cease to exist.

135 Consequential amendments

- (1) The following amendments relating to the Land Authority for Wales have effect in consequence of section 134.
- (2) In—
 - (a) paragraph 1(2)(xxiv) of Schedule 25 to the Water Act 1989,
 - (b) paragraph 1(1)(iv) of Schedule 16 to the Electricity Act 1989, and
 - (c) paragraph 2(1)(xxviii) of Schedule 4 to the Gas Act 1995,(which deem persons to be statutory undertakers for the purposes of certain enactments), for “Parts XII and” substitute “Part”.
- (3) In section 31(1)(c) of the Acquisition of Land Act 1981 (acquisition under certain provisions of statutory undertakers' land without a certificate), for “said Act of” substitute “Local Government, Planning and Land Act”.

136 Transfer of property, staff etc. to Welsh Development Agency

- (1) There shall be transferred to and vest in the Welsh Development Agency by virtue of this subsection all property, rights and liabilities to which the Land Authority for Wales is entitled or subject when the functions of that Authority cease to exist.
- (2) A certificate issued by the Secretary of State that any property has been transferred by subsection (1) shall be conclusive evidence of the transfer.
- (3) Subsection (1) has effect in relation to property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by that subsection.
- (4) Subsection (1) does not have effect to continue in force any contract of employment; but the Secretary of State may by order make provision for the transfer of staff of the Land Authority for Wales.
- (5) An order under subsection (4) may make any appropriate consequential, incidental, supplementary or transitional provisions or savings.

137 Transitional provisions

- (1) Nothing in section 134 or 135, or in any repeal made by this Act, affects the validity of anything done by or in relation to the Land Authority for Wales before its functions cease to exist.
- (2) There may be continued by or in relation to the Welsh Development Agency anything (including legal proceedings) which—
 - (a) relates to any of the functions of the Land Authority for Wales or to any property, rights or liabilities transferred by section 136(1), and
 - (b) is in the process of being done by or in relation to that Authority when its functions cease to exist.
- (3) Anything which—
 - (a) was done by the Land Authority for Wales for the purpose of or in connection with any of its functions or any property, rights or liabilities transferred by section 136(1), and
 - (b) is in effect immediately before its functions cease to exist,

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shall have effect as if done by the Welsh Development Agency.

- (4) The Welsh Development Agency shall be substituted for the Land Authority for Wales in any instruments, contracts or legal proceedings which—
- (a) relate to any of the functions of that Authority or to any property, rights or liabilities transferred by section 136(1), and
 - (b) are made or commenced before its functions cease to exist.

138 Winding-down

- (1) The Land Authority for Wales shall give to the Welsh Development Agency all the information, prepare all the documents and do all other things which appear to that Agency appropriate for the purpose of facilitating—
- (a) the carrying into effect of sections 134 to 137 and section 139, or
 - (b) the exercise of any functions imposed on that Agency, or conferred on the Secretary of State, by this section;
- and the Land Authority for Wales may do anything else which appears to it appropriate for that purpose.
- (2) The Land Authority for Wales shall comply with paragraph 6 of Schedule 21 to the Local Government, Planning and Land Act 1980 (reports)—
- (a) in relation to the last accounting year ending before its functions cease to exist (if it has not done so before then), and
 - (b) in relation to the period between the end of that accounting year and the time when its functions cease to exist (to which period that paragraph shall apply as if it were an accounting year).
- (3) As from the time when the functions of the Land Authority for Wales cease to exist, the Welsh Development Agency shall make available to that Authority such facilities as that Authority may reasonably require for exercising its functions under this section.
- (4) The statement of accounts prepared by the Welsh Development Agency in accordance with paragraph 8(1) of Schedule 3 to the Welsh Development Agency Act 1975 in respect of the accounting year in which the functions of the Land Authority for Wales cease to exist shall include a statement of accounts relating to the activities of that Authority—
- (a) in respect of the last accounting year ending before the time when those functions cease to exist (if that Authority has not before that time prepared a statement of accounts in accordance with paragraph 3 of Schedule 21 to the Local Government, Planning and Land Act 1980 in relation to that accounting year), and
 - (b) in respect of the period between the end of that accounting year and that time.
- (5) The Secretary of State may pay to members of the Land Authority for Wales—
- (a) any remuneration which he considers appropriate in respect of the performance of their duties as members of that Authority after the time when its functions cease to exist, and
 - (b) any allowances which he determines should be paid to them in respect of expenses properly incurred by them in the performance of those duties after that time.

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- (6) The Secretary of State may determine that, as from the time when the functions of the Land Authority for Wales cease to exist or any later time, the number of members of that Authority shall be reduced to a number which he considers appropriate (and may, accordingly, remove any such members from office).
- (7) In this section “accounting year” means the period of twelve months ending with 31st March.

139 Abolition etc

- (1) The Land Authority for Wales shall cease to exist when the Secretary of State, being satisfied that its duties under section 138 have been discharged, by order so directs.
- (2) No amendment or repeal made by this Act or by virtue of subsection (3) affects—
 - (a) the continuance of the Land Authority for Wales for the purpose of exercising its functions under section 138, or
 - (b) the continued operation for that purpose of any enactment relating to the Land Authority for Wales.
- (3) The Secretary of State may by order make any consequential, incidental, supplementary or transitional provisions, and any savings, which appear to him to be appropriate in consequence of or otherwise in connection with—
 - (a) the functions of the Land Authority for Wales ceasing to exist under section 134,
 - (b) the transfer of the property, rights and liabilities of that Authority by section 136(1), or
 - (c) the abolition of that Authority.
- (4) An order under subsection (3) may include provisions in the form of amendments or repeals of any of sections 134 to 138 or any other enactment.

Housing for Wales

140 Transfer of functions, property, staff etc. to Secretary of State

- (1) The functions of Housing for Wales shall be transferred to the Secretary of State in accordance with the provisions of Schedule 16 which amends the enactments relating to that body for the purpose of—
 - (a) transferring its functions to the Secretary of State, and
 - (b) making provision consequential on the transfer.
- (2) There shall be transferred to and vest in the Secretary of State for Wales by virtue of this subsection all property, rights and liabilities to which Housing for Wales is entitled or subject when its functions are transferred to the Secretary of State in accordance with the provisions of Schedule 16.
- (3) A certificate issued by the Secretary of State that any property has been transferred by subsection (2) shall be conclusive evidence of the transfer.
- (4) Subsection (2) has effect in relation to property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by that subsection.

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- (5) Subsection (2) does not have effect to continue in force any contract of employment; but the Secretary of State may by order make provision for the transfer of staff of Housing for Wales.
- (6) An order under subsection (5) may make any appropriate consequential, incidental, supplementary or transitional provisions or savings.

141 Transitional provisions

- (1) Nothing in section 140 or Schedule 16, or in any repeal made by this Act, affects the validity of anything done by or in relation to Housing for Wales before its functions are transferred.
- (2) There may be continued by or in relation to the Secretary of State for Wales anything (including legal proceedings) which—
 - (a) relates to any of the functions of Housing for Wales or to any property, rights or liabilities transferred by section 140(2), and
 - (b) is in the process of being done by or in relation to Housing for Wales when its functions are transferred.
- (3) Anything which—
 - (a) was done by Housing for Wales for the purpose of or in connection with any of its functions or by Housing for Wales or the Housing Corporation for the purpose of or in connection with any property, rights or liabilities transferred by section 140(2), and
 - (b) is in effect immediately before its functions are transferred,
 shall have effect as if done by the Secretary of State for Wales.
- (4) The Secretary of State for Wales shall be substituted—
 - (a) for Housing for Wales in any instruments, contracts or legal proceedings which relate to any of the functions of Housing for Wales and are made or commenced before its functions are transferred, and
 - (b) for Housing for Wales or the Housing Corporation in any instruments, contracts or legal proceedings which relate to any property, rights or liabilities transferred by section 140(2) and are so made or commenced.

142 Winding-down

- (1) Housing for Wales shall give to the Secretary of State all the information, prepare all the documents and do all other things which appear to the Secretary of State appropriate for the purpose of facilitating—
 - (a) the carrying into effect of sections 140, 141 and 143 and Schedule 16, or
 - (b) the exercise of any functions transferred to the Secretary of State by Schedule 16 or conferred or imposed on him by this section;
 and Housing for Wales may do anything else which appears to it appropriate for that purpose.
- (2) Housing for Wales shall comply with section 78(1) and (2) (annual reports) and section 97(1) to (3) (accounts) of the Housing Associations Act 1985—
 - (a) in relation to the last financial year ending before its functions are transferred (if it has not done so before then), and

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- (b) in relation to the period between the end of that financial year and the time when its functions are transferred (to which period those provisions shall apply as if it were a financial year).
- (3) As from the time when the functions of Housing for Wales are transferred, the Secretary of State shall make available to Housing for Wales such facilities as it may reasonably require for exercising its functions under this section.
- (4) Section 78(3) of the Housing Associations Act 1985 (duty of Secretary of State to lay reports before Parliament) shall apply in relation to a report made pursuant to subsection (2).
- (5) Section 97(4) of that Act (duty of Secretary of State to prepare accounts) shall, so far as it relates to Housing for Wales, apply in relation to the period between—
 - (a) the end of the last financial year before its functions are transferred, and
 - (b) the time when its functions are transferred,as if it were a financial year.
- (6) The Secretary of State may pay to members of Housing for Wales—
 - (a) any remuneration which he considers appropriate in respect of the performance of their duties as members of Housing for Wales after the time when its functions are transferred, and
 - (b) any allowances which he determines should be paid to them in respect of expenses properly incurred by them in the performance of those duties after that time.
- (7) The Secretary of State may determine that, as from the time when the functions of Housing for Wales are transferred or any later time, the number of members of Housing for Wales shall be reduced to a number which he considers appropriate (and may, accordingly, remove any such members from office).
- (8) The Secretary of State shall meet the costs of remunerating auditors and any other costs incurred by Housing for Wales in connection with the exercise of any of its functions under this section.

143 Abolition etc

- (1) Housing for Wales shall cease to exist when the Secretary of State, being satisfied that its duties under section 142 have been discharged, by order so directs.
- (2) No amendment or repeal made by this Act or by virtue of subsection (3) affects—
 - (a) the continuance of Housing for Wales for the purpose of exercising its functions under section 142, or
 - (b) the continued operation for that purpose of any enactment relating to Housing for Wales.
- (3) The Secretary of State may by order make any consequential, incidental, supplementary or transitional provisions, and any savings, which appear to him to be appropriate in consequence of or otherwise in connection with—
 - (a) the transfer of functions, property, rights and liabilities of Housing for Wales by section 140(1) and (2) and Schedule 16, or
 - (b) the abolition of Housing for Wales.

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- (4) An order under subsection (3) may include provisions in the form of amendments or repeals of sections 140 to 142, Schedule 16 or any other enactment.

Accountability

144 Accounts, audit and reports

- (1) The Secretary of State may by order make provision about—
- (a) the accounts of any body specified in Part I or II of Schedule 17,
 - (b) the audit of any such body's accounts, or
 - (c) reports by any such body on its exercise of its functions.
- (2) An order under subsection (1) may not make any provision about, or about the audit of, the accounts kept in pursuance of section 98(1) of the National Health Service Act 1977 (accounts subject to audit by auditors appointed by the Audit Commission) by any body specified in Part II of Schedule 17.
- (3) An order under subsection (1) may include provision imposing, varying or abolishing requirements in respect of any accounts or reports or the audit of any accounts and, in particular, may provide for—
- (a) designating accounting officers and specifying their responsibilities,
 - (b) the preparation by a body of accounts extending to financial affairs and transactions of any undertaking (as defined in section 259(1) of the Companies Act 1985) of which the body is (or, if it were an undertaking as so defined, would be) a parent undertaking (within the meaning of section 258 of that Act),
 - (c) the granting to auditors, and persons considering reports by any auditor or body, of rights of access to documents and of rights to obtain information, explanations and assistance from persons holding or accountable for documents,
 - (d) the giving of directions by the Assembly (or, before the first ordinary election, by the Secretary of State), and
 - (e) the publication and public inspection of documents.
- (4) The Secretary of State may by order make provision for designating accounting officers of any body specified in Part III of Schedule 17 and specifying their responsibilities.
- (5) An order under subsection (1) or (4) may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals of enactments).
- (6) An Order in Council under section 22 may include any provision that may be included in an order under subsection (1) or (4).
- (7) If requested to do so by the House of Commons Committee of Public Accounts, the Audit Committee may—
- (a) on behalf of the Committee of Public Accounts take evidence from a person designated in pursuance of subsection (3)(a) or (4) as an accounting officer of a body specified in Schedule 17, and
 - (b) report to the Committee of Public Accounts and transmit to that Committee any evidence so taken.

- (8) The Secretary of State may by order amend any of the Parts of Schedule 17 by—
- (a) adding any public body (other than the Auditor General for Wales, Her Majesty’s Chief Inspector of Schools in Wales, the Welsh Administration Ombudsman, the Health Service Commissioner for Wales, a county council, a county borough council or a community council) whose functions relate exclusively to Wales or an area of Wales,
 - (b) omitting any body, or
 - (c) altering the description of any body.
- (9) In this section—
- (a) “audit”, in relation to any accounts, includes their examination and certification and reporting on them or on any examination of them, and
 - (b) “body” includes office.

145 Examinations into use of resources

- (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which a body or office specified in Schedule 17 has used its resources in discharging its functions.
- (2) Subsection (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of any body or office in respect of which an examination is carried out.
- (3) In determining how to exercise his functions under this section, the Auditor General for Wales shall take into account the views of the Audit Committee (or, before the first ordinary election, the views of the Secretary of State) as to the examinations which he should carry out under this section.
- (4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this section.
- (5) The Auditor General for Wales and the Comptroller and Auditor General may co-operate with, and give assistance to, each other in connection with the carrying out of examinations under this section, or section 6 or 7 of the National Audit Act 1983 (economy etc. examinations), in respect of a body or office specified in Schedule 17.
- (6) The Comptroller and Auditor General shall—
- (a) consult the Auditor General for Wales, and
 - (b) take into account any relevant work done or being done by the Auditor General for Wales,
- before he carries out an examination under section 6 or 7 of the National Audit Act 1983 (economy etc. examinations) in respect of a body or office specified in Schedule 17.

146 Transfer etc. of functions of Comptroller and Auditor General

- (1) The Secretary of State may by order provide for any function of the Comptroller and Auditor General, so far as relating to a body or office falling within subsection (2), to be transferred to, or become a function also of, the Auditor General for Wales.
- (2) The bodies and offices falling within this subsection are—
- (a) any body or office specified in Schedule 17, and

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- (b) any body or office (other than one specified in Schedule 17) whose functions relate exclusively to Wales or an area of Wales (but not the Auditor General for Wales, Her Majesty’s Chief Inspector of Schools in Wales, the Welsh Administration Ombudsman, the Health Service Commissioner for Wales, a county council, a county borough council or a community council).
- (3) An order under subsection (1) may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals of enactments).
- (4) An Order in Council under section 22 may include any provision that may be included in an order under subsection (1).

147 Environment Agency

- (1) The Secretary of State may by order—
 - (a) make provision for any function of the Comptroller and Auditor General relating to the Environment Agency to become a function also of the Auditor General for Wales so far as it relates to any of the Agency’s Welsh functions or to any funding provided to the Agency by the Assembly, or
 - (b) make provision about reports to the Assembly by the Environment Agency on the Agency’s activities in exercise of its Welsh functions (including provision for the giving of directions by the Assembly about such reports).
- (2) An order under subsection (1) may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals of enactments).
- (3) An Order in Council under section 22 may include any provision that may be included in an order under subsection (1).
- (4) In this section references to the Environment Agency’s Welsh functions are to its functions so far as exercisable in relation to Wales or to a cross-border body, or an English border area, in relation to which environmental functions of the Assembly are exercisable; and “environmental functions of the Assembly” means functions of the Assembly in a field in which the Environment Agency also has functions.

Miscellaneous

148 Health Authorities

In section 8(2) of the National Health Service Act 1977 (each Health Authority to act for such area of England or of Wales as is specified in the order establishing it), at the end insert “or, if the order so provides, for the whole of Wales”.

149 Agricultural wages committees

In section 2 of the Agricultural Wages Act 1948 (agricultural wages committees for counties and combinations of counties), in the proviso to subsection (1) (exceptions to proposition that there be one committee for each county in England and Wales), at the end insert “and

- (c) there may, if the Minister thinks it expedient, be established as aforesaid a committee for the combination of all the counties in Wales

instead of separate committees for counties or combinations of counties in Wales.”

150 Abolition of Residuary Body for Wales

- (1) Paragraph 18 of Schedule 13 to the Local Government (Wales) Act 1994 (provisions for winding up of Residuary Body for Wales) is amended as follows.
- (2) In sub-paragraph (2) (meaning of “the transitional period” within which the Residuary Body must try to complete its work and at the end of which it is to be wound up), for “period of five years beginning with the establishment of the Residuary Body” substitute “period beginning with the establishment of the Residuary Body and ending with 31st March 1999”.
- (3) Omit—
 - (a) in sub-paragraph (3), “Subject to sub-paragraph (4),”, and
 - (b) sub-paragraph (4),(under which the Secretary of State may specify a period longer than the transitional period as the period at the end of which the Residuary Body is to be wound up).
- (4) For sub-paragraphs (5) to (7) (duty of Residuary Body to submit scheme for its winding up and to make arrangements for transfers etc. and power of Secretary of State to make orders) substitute—
 - “(5) The Residuary Body shall, before the end of the period of three months beginning with the day on which the Government of Wales Act 1998 is passed, submit to the Secretary of State a scheme for the winding up of the Residuary Body.
 - (6) The scheme shall include in relation to the Residuary Body’s remaining functions, property, rights and liabilities—
 - (a) a statement of arrangements made by the Residuary Body for their transfer by the Residuary Body to another body or bodies,
 - (b) proposals for their transfer by the Secretary of State to another body or bodies, or
 - (c) such a statement in relation to some of them and such proposals in relation to the rest.
 - (7) The Secretary of State may by order make provision for giving effect to the scheme (with or without modifications) and for the transfer of functions, property, rights and liabilities of the Residuary Body to another body or bodies (whether or not as proposed in the scheme).”