
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

SCHEDULE 12

MINOR AND CONSEQUENTIAL AMENDMENTS

The Local Government Act 1974 (c. 7)

- 11 The Local Government Act 1974 has effect subject to the following amendments.
- 12 (1) Section 23 (the Commissions for Local Administration) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) The Welsh Administration Ombudsman shall be a member of the Commission for Local Administration in Wales (so that, where the offices of Parliamentary Commissioner and Welsh Administration Ombudsman are held by different persons, the Commission for Local Administration in Wales shall consist of at least three commissioners).”
- (3) In subsection (3) (meaning of “Local Commissioner”), after “other than the Parliamentary Commissioner” insert “, the Welsh Administration Ombudsman”.
- (4) In subsection (12) (reports by the Commissions), after “government departments” insert “or the National Assembly for Wales”.
- 13 In section 26(6)(b) (no investigation where person aggrieved has right of appeal to Minister of the Crown), after “Minister of the Crown” insert “or the National Assembly for Wales”.
- 14 In section 27(1) (authorities not entitled to make a complaint)—
- (a) in paragraph (a), after “government” insert “(including the National Assembly for Wales)”, and
- (b) in paragraph (b), after “department” insert “or by the National Assembly for Wales” and after “Parliament” insert “or the National Assembly for Wales”.
- 15 (1) Section 29 (provisions about investigations) is amended as follows.
- (2) In subsection (3) (disclosure to Local Commissioner of communications between local authorities and government departments), after “any Government department” insert “or the National Assembly for Wales”.
- (3) In subsection (5) (section does not affect restrictions on disclosure of information), before “or” at the end of paragraph (a) insert—
- “(aa) the restriction, imposed by paragraph 25(1) of Schedule 9 to the Government of Wales Act 1998, on the disclosure of information by the Welsh Administration Ombudsman or members of his staff;”.
- 16 In section 32(5) (inclusion in Local Commissioner’s report of information derived from government communications disclosed under section 29(3))—
- (a) after “department”, in the first place, insert “or the National Assembly for Wales”,

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) after “department”, in the second place, insert “or a member of the Assembly’s staff”, and
 - (c) after “department”, in the third place, insert “or the Assembly”.
- 17 (1) Section 33 (consultation with other Commissioners) is amended as follows.
 - (2) In subsection (1) (duty to consult), before “or” at the end of paragraph (a) insert—
 - “(aa) by the Welsh Administration Ombudsman, in accordance with the Government of Wales Act 1998,” and, in the words following paragraph (b), after “Commissioner” insert “or the Ombudsman” and after “under the Act of 1967” insert “, under the Government of Wales Act 1998”.
 - (3) In subsection (2) (matters which may be covered by consultation)—
 - (a) after “the Parliamentary Commissioner” insert “, the Welsh Administration Ombudsman”, and
 - (b) after “that Commissioner” insert “or the Ombudsman”.
 - (4) In subsection (5) (confidentiality)—
 - (a) after “Act of 1993,” insert “in paragraph 25(1) of Schedule 9 to the Government of Wales Act 1998”, and
 - (b) omit “by any of the Commissioners mentioned in this section, or by any of their officers,”.