



Government of Wales Act 2006

2006 CHAPTER 32

PART 6

MISCELLANEOUS AND SUPPLEMENTARY

Welsh public records

148 Meaning of “Welsh public records”

- (1) The following are Welsh public records—
- (a) administrative and departmental records belonging to Her Majesty which are records of the Welsh ^{F1}... Government,
 - (b) administrative and departmental records of the Auditor General,
 - ^{F2}(ba) administrative and departmental records belonging to Her Majesty which are records of or held by the Welsh Revenue Authority;
 - (c) administrative and departmental records belonging to Her Majesty which are records of or held in any government department which is wholly or mainly concerned with Welsh affairs,
 - (d) administrative and departmental records belonging to Her Majesty which are records of any office, commission or other body or establishment under Her Majesty's Government which is wholly or mainly concerned with Welsh affairs in a field or fields in which the Welsh Ministers have functions, or the First Minister or the Counsel General has functions,
 - (e) administrative and departmental records of the bodies and establishments specified in subsection (2) (but not records of health service hospitals in Wales which are of the descriptions excepted from being public records for the purposes of the Public Records Act 1958 (c. 51) in the case of health service hospitals in England), and
 - (f) any other description of records (other than records of the ^{F3}Senedd] or the ^{F3}Senedd] Commission or records of any court or tribunal or held in any department of the Senior Courts) which is specified by order made by the ^{F4}Secretary of State].

Changes to legislation: Government of Wales Act 2006, Section 148 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) The bodies and establishments referred to in subsection (1)(e) are—
- (a) the Care Council for Wales,
 - [^{F5}(aa) the Commission for Tertiary Education and Research,]
 - [^{F6}(aa) the Citizen Voice Body for Health and Social Care, Wales,]
 - ^{F7}(b)
 - (c) the Curriculum and Assessment Authority for Wales,
 - (d) Family Practitioner Committees for localities in Wales,
 - (e) the Further Education Funding Council for Wales,
 - (f) the General Teaching Council for Wales,
 - (g) health service hospitals, within the meaning of the [^{F8}National Health Service (Wales) Act 2006], in Wales,
 - (h) the Higher Education Funding Council for Wales,
 - (i) the Local Government Boundary Commission for Wales,
 - (j) the National Council for Education and Training for Wales,
 - (k) National Health Service Authorities for districts or localities in Wales, or for areas in or consisting of Wales, including National Health Service trusts all of whose hospitals, establishments and facilities are situated in Wales,
 - [^{F9}(ka) the Natural Resources Body for Wales,]
 - (l) the Qualifications, Curriculum and Assessment Authority for Wales,
 - [^{F10}(la) Qualifications Wales,]
 - (m) the Wales Centre for Health, and
 - (n) the Welsh Board of Health.
- (3) An order under subsection (1)(f) may be made in relation to a description of records—
- (a) which (immediately before the order is made) are public records for the purposes of the Public Records Act 1958, or
 - (b) which (at that time) are not public records for those purposes.
- (4) No order under subsection (1)(f) may be made—
- (a) in relation to records within paragraph (a) of subsection (3), unless the [^{F11}Secretary of State] has consulted the Welsh Ministers, and
 - (b) in relation to records within paragraph (b) of that subsection, without the agreement of the Welsh Ministers.
- (5) A statutory instrument containing an order under subsection (1)(f) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section “records” includes—
- (a) written records, and
 - (b) records conveying information by any other means.

Textual Amendments

- F1** Words in Act omitted (17.2.2015) by virtue of [Wales Act 2014 \(c. 29\), s. 4\(2\)\(a\)](#) (with s. 4(3))
- F2** S. 148(1)(ba) inserted (18.10.2017) by [Tax Collection and Management \(Wales\) Act 2016 \(anaw 6\), ss. 34, 194\(2\)](#); [S.I. 2017/954, art. 2](#)
- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))

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- F4** Words in s. 148(1)(f) substituted (9.12.2015) by The Transfer of Functions (Information and Public Records) Order 2015 (S.I. 2015/1897), art. 1(2), **Sch. para. 4(b)**
- F5** S. 148(2)(aa) inserted (4.9.2023) by Tertiary Education and Research (Wales) Act 2022 (asc 1), s. 148(2), **Sch. 4 para. 20(2)(a)** (with s. 19); S.I. 2023/919, art. 2(ii)(x)
- F6** S. 148(2)(aa) inserted (1.4.2023) by Health and Social Care (Quality and Engagement) (Wales) Act 2020 (asc 1), s. 29(2), **Sch. 3 para. 9**; S.I. 2023/370, art. 3(1)(t)
- F7** S. 148(2)(b) omitted (1.4.2013) by virtue of The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 437(2)** (with Sch. 7)
- F8** Words in s. 148(2)(g) substituted (1.3.2007) by virtue of National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 303** (with Sch. 3 Pt. 1)
- F9** S. 148(2)(ka) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 437(3)** (with Sch. 7)
- F10** S. 148(2)(la) inserted (21.9.2015) by Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 7**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F11** Words in s. 148(4)(a) substituted (9.12.2015) by The Transfer of Functions (Information and Public Records) Order 2015 (S.I. 2015/1897), art. 1(2), **Sch. para. 4(b)**

Modifications etc. (not altering text)

- C1** S. 148(1)(f) functions transferred (9.12.2015) by The Transfer of Functions (Information and Public Records) Order 2015 (S.I. 2015/1897), arts. 1(2), **6(1)(d)** (with art. 7)
- C2** S. 148(4)(a) functions transferred (9.12.2015) by The Transfer of Functions (Information and Public Records) Order 2015 (S.I. 2015/1897), arts. 1(2), **6(1)(d)** (with art. 7)

Commencement Information

- I1** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

Changes to legislation:

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Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 148(2)(h) omitted by [2022 asc 1 Sch. 4 para. 20\(2\)\(b\)](#)

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. 155A inserted by [2014 c. 29 s. 10](#)
- Sch. 7A Section C15 para. 92 omitted by [2017 c. 4 s. 48\(1\)\(a\)](#)
- Sch. 7A Section C15 para. 93 words omitted by [2017 c. 4 s. 48\(1\)\(b\)](#)
- Sch. 7B para. 10(2)(o) inserted by [2022 c. 30 s. 143](#)
- Sch. 7B para. 11(6)(b)(x) repealed by [2023 c. 54 Sch. 11 para. 1\(b\)](#)
- Sch. 7B para. 11(6)(b)(x) word omitted by [2023 c. 54 s. 118\(c\)](#)