



Government of Wales Act 2006

2006 CHAPTER 32

PART 1

[^{F1}SENEDD CYMRU]

Legal issues

41 Proceedings by or against [^{F1}Senedd]etc.

- (1) Proceedings by or against the [^{F1}Senedd] are to be instituted by or against the [^{F1}Senedd] Commission on behalf of the [^{F1}Senedd] .
- (2) Proceedings by or against—
 - (a) the Presiding Officer or Deputy Presiding Officer, or
 - (b) a member of the staff of the [^{F1}Senedd] ,are (unless instituted against or by the [^{F1}Senedd] Commission) to be instituted by or against the [^{F1}Senedd] Commission on behalf of the Presiding Officer, Deputy Presiding Officer or member of staff.
- (3) In any proceedings against the [^{F1}Senedd] the court must not grant a mandatory, prohibiting or quashing order or an injunction, make an order for specific performance or stay the proceedings but may instead make a declaration.
- (4) In any proceedings against—
 - (a) any [^{F2}Member of the Senedd] ,
 - (b) the Presiding Officer or Deputy Presiding Officer,
 - (c) any member of the staff of the [^{F1}Senedd] , or
 - (d) the [^{F1}Senedd] Commission,the court must not grant a mandatory, prohibiting or quashing order or an injunction, make an order for specific performance or stay the proceedings if the effect of doing so would be to give any relief against the [^{F1}Senedd] which could not have been given in proceedings against the [^{F1}Senedd] .

Changes to legislation: Government of Wales Act 2006, Section 41 is up to date with all changes known to be in force on or before 25 April 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

(5) References in this section to an order include an order which is not final.

Textual Amendments

- F1** 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\(11\)-\(14\)](#))
- F2** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), Sch. 1 para. 2(16) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))
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Commencement Information

- I1** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

Changes to legislation:

Government of Wales Act 2006, Section 41 is up to date with all changes known to be in force on or before 25 April 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.

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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. 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\(c\)](#)