

## SCHEDULE 2

Regulation 18(1)(a)

### PARTICULAR CIRCUMSTANCES IN WHICH THE NATIONAL ASSEMBLY FOR WALES MAY REQUIRE REFERENDUM TO BE HELD

#### PART I

##### CIRCUMSTANCES RELATING TO PROPOSALS

1. The authority has not drawn up proposals under section 25, section 31, regulation 17(3)(a) or, as the case may be, regulation 19(1)(c), and is unlikely to do so unless the National Assembly for Wales so directs.
2. The authority has drawn up proposals under section 25 or, as the case may be, section 31, regulation 17(3)(a) or regulation 19(1)(c), or regulations under section 30 and 33—
  - (a) without having taken reasonable steps to undertake the consultation required by section 25(2) or, as the case may be, section 31(5), regulation 17(4), regulation 20(1)(c) or (e)(iii) or regulations under section 30, 33 or 31(7); or
  - (b) without having had due regard to the response to that consultation; or
  - (c) without having undertaken that consultation in a manner which is fair and consistent with guidance as to the matter of such consultation.
3. The authority's proposals—
  - (a) do not comply with the requirements of subsections (3) and (6) of section 25 or, as the case may be, regulation 17(1)(a) or (b) and (5) or regulation 20(1)(a) and (b), (e)(i) and (ii) and (2) or any comparable provision of regulations under sections 30 and 33;
  - (b) do not comply with the requirements specified in regulations under section 31(7) of the Act; or
  - (c) are unsatisfactory in any other respect.
4. The interval between any consecutive actions proposed in the timetable with respect to the implementation of the authority's proposals included in proposals drawn up under section 25, or, as the case may be, regulation 17(3)(a), regulation 19(1)(c) or regulations under section 30, 33 or 31(7)—
  - (a) is unreasonably long; or
  - (b) contravenes any requirement imposed by or under Part II of the Act.
5. The authority has failed to implement its proposals in accordance with the timetable included in those proposals.
6. The authority has failed to comply with any directions given by the National Assembly for Wales for the purposes of Part II of the Act.

#### PART II

##### CIRCUMSTANCES RELATING TO FALL-BACK PROPOSALS

7. The authority has not drawn up outline fall-back proposals under section 27(1)(b) or, as the case may be, regulation 17(3)(b) or regulation 19(1)(d), and is unlikely to do so unless the National Assembly for Wales so directs.
8. The authority has drawn up outline fall-back proposals—

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- (a) without having taken reasonable steps to undertake the consultation required by section 27(3) or, as the case may be, regulation 17(4) or regulation 20(3)(a)(?);
- (b) without having undertaken that consultation in a manner which is fair and consistent with guidance as to the manner of such consultation; or
- (c) without having had due regard to the response to that consultation;

**9.** The interval between any consecutive actions proposed in the timetable with respect to the implementation of the authority's outline fall-back proposals in the event that the referendum rejects the proposals drawn up under section 25 or, as the case may be, regulation 17(3)(a) or regulation 19(1)(c), is unreasonably long.

**10.** The authority's outline fall-back proposals—

- (a) do not comply with the requirements of subsections (4) and (10) of section 27 or, as the case may be, regulation 17(7)(a)(?) or regulation 20(3)(a)(ii); or
- (b) are unsatisfactory in any other respect.

**11.** The authority has failed to comply with any directions given by the National Assembly for Wales for the purposes of Part II of the Act.