
WELSH STATUTORY INSTRUMENTS

2015 No. 1025

**The Local Government Byelaws (Wales) Act
2012 (Commencement No. 2, Transitional
Provisions and Savings) Order 2015**

Transitional provisions and savings

3.—(1) Despite the coming into force of sections 2, 4, 6, 7, 8 and 20 of, and Schedules 1 and 2 to, the 2012 Act—

- (a) sections 2, 4, 6 and 7(3) to (9) and 8(3) of, and Schedule 2 to that Act do not apply to byelaws described in paragraph (2); and
- (b) section 236(3), (4) to (7) and (11)(1) of the 1972 Act apply to byelaws described in that paragraph.

(2) This paragraph applies to byelaws to which sections 235, 236 and 236B of the 1972 Act apply if before the appointed day—

- (a) one or more of the following steps has been taken in relation to them—
 - (i) the legislating authority by whom the byelaws are made has given notice, pursuant to section 236(4) of the 1972 Act, of its intention to apply for confirmation of the byelaws in one or more local newspapers circulating in the area to which the byelaws are to apply; or
 - (ii) a copy of the byelaws has been deposited, pursuant to section 236(5) of the 1972 Act, at the offices of the legislating authority by whom they are made; and
- (b) the confirming authority(2) has not confirmed the byelaw; or
- (c) the confirming authority has confirmed the byelaw but the byelaw has not yet come into operation.

(1) Subsection (1) of section 236 of the 1972 Act was amended by section 84 of, and paragraph 31(1) of Schedule 14 to, the Local Government Act 1985 (c. 51). Subsection (3) of section 236 of the 1972 Act was amended by S.I. 2001/3719. Subsection (9) of that section was amended, and subsection (10A) of that section was inserted, by paragraph 50 of Schedule 15 to the Local Government (Wales) Act 1994 (c. 19). There are other amendments to section 236 of the 1972 Act which are not relevant to this Order.

(2) See section 236(11) of the 1972 Act for the meaning of “confirming authority”. The function of the Secretary of State in this section is exercised concurrently with the National Assembly for Wales in accordance with the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2, Schedule 1. This function of the National Assembly for Wales has been further transferred to the Welsh Ministers by virtue of the operation of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).