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WELSH STATUTORY INSTRUMENTS

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**2020 No. 653**

**The Local Authorities (Coronavirus) (Meetings)  
(Wales) (Amendment) Regulations 2020**

**Modifications of various enactments related to Part 4 of the April 2020 Regulations**

5.—(1) In the April 2020 Regulations—

- (a) in regulation 19, for “regulation 22” substitute “ regulations 22 and 26, and paragraphs 1 and 2(c) of the Schedule, ”;
- (b) after regulation 25 (as inserted by regulation 4 of these Regulations) insert—

“26. The Schedule contains modifications of various enactments, which relate to this Part.”

(2) At the end of the April 2020 Regulations insert—

“SCHEDULE

Regulation 26

Further modifications related to Part 4

1. In the Local Government (Miscellaneous Provisions) Act 1976 <sup>M1</sup>, section 41 is to be read in relation to a local authority to which that section applies (by virtue of any enactment) as if, in subsection (1)(b)—

- (a) for “signed in accordance” there were substituted “ signed or authenticated in accordance ”;
- (b) after “when the minutes were signed” there were inserted “ or authenticated ”.

2. The Standards Committees (Wales) Regulations 2001 <sup>M2</sup> are to be read in relation to a meeting of a standards committee (within the meaning of those Regulations), held before the end of 30 April 2021, as if—

- (a) in regulation 26—
  - (i) in paragraph (1), sub-paragraph (d) were omitted;
  - (ii) in paragraph (2A), in sub-paragraph (a), for “to 100D” there were substituted “ and 100C ”<sup>M3</sup> ;
  - (iii) paragraph (4) were omitted;
- (b) in regulation 27, for paragraphs (1) to (3) there were substituted—

“(1A) Where—

  - (a) a local authority is required by virtue of the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 to publish on its website a notice or other document relating to a meeting of its standards committee, and

(b) one or more of the community councils situated in the local authority's area have a website,

the local authority may, if it thinks fit, provide for the notice or other document to be published on the websites of those community councils (as well as on its own website).”;

(c) in regulation 28, after paragraph (1) there were inserted—

“(1A) But minutes of the proceedings of a standards committee occurring after 21 July 2020 (which is the date on which the Local Authorities (Coronavirus) (Meetings) (Wales) (Amendment) Regulations 2020 came into force) and before 1 May 2021 may instead be drawn up in a document, and that document must be authenticated by the chairperson of the committee.”

**3.** The Public Audit (Wales) Act 2004 is to be read in relation to a meeting of a local authority held, before the end of 30 April 2021, in accordance with section 24 or (as the case may be) 25 of that Act as if—

(a) in section 24—

(i) in subsection (5), in paragraph (a), for “supplied under that section (supply of agenda etc. to newspapers)” there were substituted “ published under that provision ”;

(ii) in subsection (5), in paragraph (b)(i), for “open to inspection” there were substituted “ published ”;

(iii) in subsection (5), sub-paragraph (ii) of paragraph (b), and the “or” which precedes it, were omitted;

(iv) in subsection (7), for “100C(1)(d) of that Act (public access to copies of reports for 6 years after meeting)” there were substituted “ 100C(2)(d) and (6)(d) of that Act ”;

(b) in section 26—

(i) for subsection (6) there were substituted—

“(6) But if section 100C of the Local Government Act 1972 applies in relation to the meeting, the approved summary must indicate the documents in relation to the meeting which have been published electronically under that section.”;

(ii) after subsection (6) there were inserted—

“(6A) Subsection (6B) applies in relation to a meeting which is not open to the public other than by virtue of—

(a) section 1(2) of the Public Bodies (Admission to Meetings) Act 1960<sup>M4</sup>, or

(b) section 100A(2) or (4) of the Local Government Act 1972.

(6B) The reference in subsection (5) to a decision made at a meeting while the public were excluded includes a reference to a decision made while, in the proper officer's opinion, it is likely the meeting would not have been open to the public by virtue of—

(a) section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, had section 1(1) of that Act applied;

(b) section 100A(2) or (4) of the Local Government Act 1972, had section 100A(1) of that Act applied.””

**Marginal Citations**

**M1** 1976 c. 57.

**M2** S.I. 2001/2283 (W. 172).

**M3** Paragraph (2A) was inserted by regulation 2(16) of the [Local Government \(Standards Committees, Investigations, Dispensations and Referral\) \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/85\)](#) (W. 39).

**M4** 1960 c. 67.

**Changes to legislation:**

There are currently no known outstanding effects for the The Local Authorities (Coronavirus) (Meetings) (Wales) (Amendment) Regulations 2020, Section 5.