Draft Order laid before Parliament under section 150(5) of the Government of Wales Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

CONSTITUTIONAL LAW

DEVOLUTION, WALES

LOCAL GOVERNMENT, WALES

The Local Government (Wales) Measure 2009 (Consequential Modifications) Order 2009

Made - - - -

Coming into force - - *1st April 2010*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 150 and 157(2) of the Government of Wales Act 2006(**a**).

In accordance with section 150(5) of that Act, a draft of this instrument was laid before and approved by a resolution of both Houses of Parliament.

Citation and commencement

1. This Order may be cited as the Local Government (Wales) Measure 2009 (Consequential Modifications) Order 2009 and shall come into force on 1st April 2010.

Amendments to Schedule 8 to the Government of Wales Act 2006

2.—(1) Schedule 8 to the Government of Wales Act 2006 (Auditor General for Wales) is amended as follows.

(2) In paragraph 9(**b**)—

(a) in sub-paragraph (3)(a) omit "or";

(b) at the end of sub-paragraph (3)(b) insert—

", or

(c) Part 1 of the Local Government (Wales) Measure 2009"(**c**);

(c) in sub-paragraph (4)(b) omit "and";

(**a**) 2006 c.32.
(**b**) Paragraph 9 was amended by the Serious Crime Act 2007 (c.27), section 73 and paragraph 5 of Part 2 of Schedule 7.
(**c**) 2009 nawm 2.

(d) at the end of sub-paragraph (4)(c)(ii) insert—

", and

(d) fees charged by the Auditor General by virtue of Part 1 of the Local Government (Wales) Measure 2009".

(3) In paragraph 12—

(a) in sub-paragraph (6)(b) omit "or";

(b) at the end of sub-paragraph (6)(c) insert—

", or

(d) Part 1 of the Local Government (Wales) Measure 2009".

Secretary of State for Wales

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Government of Wales Act 2006 ("the 2006 Act") in consequence of the Local Government (Wales) Measure 2009 ("the Measure"). Part 1 of the Measure introduces a new "improvement" regime for Welsh improvement authorities, in place of the "best value" regime under Part 1 of the Local Government Act 1999 ("the 1999 Act"). The purpose of the Order is to extend certain provisions of the 2006 Act, which apply to the income received by the Auditor General for Wales ("the Auditor General") under Part 1 of the 1999 Act, to income received by the Auditor General under Part 1 of the Measure.

Article 2 amends paragraph 9 of Schedule 8 to the 2006 Act so as to permit the Auditor General to retain any income received in connection with the exercise of the functions conferred or imposed by Part 1 of the Measure, rather than paying that income into the Welsh Consolidated Fund as the Auditor General would otherwise be required to do by virtue of section 120(1)(c) of the 2006 Act. Article 2 also amends paragraph 12 of Schedule 8 to the 2006 Act so as to prohibit the Audit Committee of the National Assembly for Wales from examining any part of the annual estimate of the income and expenses of the office of the Auditor General that relates to Part 1 of the Measure.

An impact assessment has not been produced for this Order as it will have no impact on the private or voluntary sectors.

£4.00

E5279 11/2009 195279T 19585